

# AUDIT REPORT

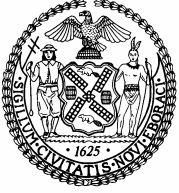


CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
BUREAU OF MANAGEMENT AUDIT  
**WILLIAM C. THOMPSON, JR., COMPTROLLER**

## **Audit Report on the Licensing and Oversight of the Carriage-Horse Industry by the Departments of Health and Mental Hygiene and Consumer Affairs**

*MH07-092A*

**June 27, 2007**



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 responsibilities of the Comptroller contained in Chapter 5, §93, of the New York City Charter, my office has audited the licensing and oversight of the carriage-horse industry by the Departments of Health and Mental Hygiene (DOHMH) and Consumer Affairs (DCA).

The carriage-horse industry is composed of individuals and business that provide the service of horse-drawn carriage rides in and around Central Park. DOHMH and DCA are the key agencies responsible for overseeing and licensing the horses, carriage-horse drivers, carriages, and stables. Audits such as this provide a means of ensuring that City agencies are complying with the applicable statutes that govern their operations.

The results of our audit, which are presented in this report, have been discussed with DOHMH and DCA officials, and their comments have been considered in preparing this report. Their complete written responses are attached to this report.

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](mailto: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.  
WCT/ec

**Report:** MH07-092A  
**Filed:** June 27, 2007

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

**Audit Report on the  
Licensing and Oversight of the Carriage-Horse Industry  
By the Departments of Health and Mental Hygiene  
And Consumer Affairs**

**MH07-092A**

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**AUDIT REPORT IN BRIEF**

This audit determined whether the Department of Health and Mental Hygiene (DOHMH) and the Department of Consumer Affairs (DCA) have adequate controls over the licensing and oversight of carriage-horses, drivers, carriages, stables, and comply with applicable rules and regulations of the City of New York concerning the carriage-horses, drivers, owners, and stables. The scope period of this audit was July 1, 2005, through March 30, 2007.

DOHMH and DCA<sup>1</sup> are the key agencies responsible for overseeing and licensing the horses, carriage-horse drivers, carriages, and stables. During Fiscal Year 2006, there were approximately 221 licensed horses, 293 licensed drivers, and 68 licensed carriages that provided horse-drawn carriage rides to the public.

The horses are monitored by the office of Veterinary Public Health Services (VPHS) at DOHMH. VPHS is responsible for reviewing and approving each carriage-horse license application and Certificate of Health (signed by a New York State-licensed veterinarian) stating that the horse is able to work. Once approved, the license application is forwarded to DCA, which issues the horse license. The drivers who operate the horse-drawn carriages and the carriages themselves are also licensed by DCA. While DOHMH and DCA have regulatory responsibilities, the American Society for the Prevention of Cruelty to Animals (ASPCA) unofficially has a large role in monitoring the carriage-horse industry.

**Audit Findings and Conclusions**

DOHMH and DCA have adequate controls over the licensing of carriage-horses, carriage drivers, carriages, and stables, and generally comply with the applicable rules and regulations of the City of New York. Our observations at the hack lines revealed that in general the carriages

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<sup>1</sup> The Department of Parks and Recreation, the Department of Transportation, and the Police Department also have limited responsibilities.

had current license plates, horses had brass tags with identification numbers that matched the numbers branded into the hooves, and drivers held current driver's licenses. Our review of DOHMH files showed that the department provided the required training program and examinations to drivers of horse-drawn carriages and maintained the Certificates of Health for the horses. Neither the ASPCA inspector nor the DOHMH veterinarian consultant found any serious violations regarding the health and safety of the horses when we accompanied them to the stables.

The Administrative Code statute relevant to the industry includes a requirement for an Advisory Board to have been established, but DOHMH failed to establish the Board since the enactment of the statute. As a result, regulations promoting the health, safety, and well-being of the carriage-horses remain broad and general in scope. Further, both agencies' efforts in monitoring and overseeing the carriage-horse industry raise concerns. During Fiscal Year 2006, the DOHMH veterinarian consultant did not examine the condition of any of the horses in the field, and DCA inspectors did not perform the required number of inspections of the horse-drawn carriages. Additionally, both DOHMH and DCA rely on ASPCA to perform inspections of the stables and of horses, drivers, and carriages in the field. ASPCA performs these duties without a formal agreement. Without a formal agreement, DOHMH and DCA have no control over the ASPCA's monitoring activities, plus the ASPCA could suddenly reduce or curtail its oversight role, which would leave a void in the oversight of the industry.

In addition, our review of DCA files showed that the agency issued and renewed licenses for horses, carriages, and drivers. However, in a few instances DCA renewed horse licenses before VPHS reviewed the Certificates of Health. According to DOHMH, all renewals are to come through DOHMH for review by the VPHS veterinarian prior to DCA's renewing the horse license.

### **Audit Recommendations**

We make 11 recommendations, including those listed below.

- DOHMH should establish the required Advisory Board, as set forth in the Administrative Code. Once established, DOHMH and the Advisory Board should promulgate clear regulations to promote the health, safety, and well-being of the carriage-horses.
- DOHMH should establish written guidelines that include how often their veterinarian should inspect the stables as well as how often the horses should be evaluated in the field.
- DOHMH should determine how oversight for the monitoring of the established guidelines will be accomplished in the future. Should the determination be that an organization other than DOHMH, such as the ASPCA, is to be responsible, then a competitive contract for such services should be considered.

- DCA should return to owners any renewal applications for horse licenses and the original Certificates of Health that have bypassed prior DOHMH approval for the owners to submit to DOHMH.
- DCA should comply with the Administrative Code and the Rules of the City of New York by conducting the required carriage inspections or by entering into a formal agreement with the ASPCA that requires the ASPCA to perform all required carriage inspections.

### **DOHMH and DCA Responses**

In their responses, DOHMH officials agreed with the five audit recommendations addressed to them, while DCA officials generally agreed with five of the six recommendations addressed to them and did not directly address one recommendation relating to ensuring that all required information is received and reviewed before issuing a carriage-horse driver's license.

## INTRODUCTION

### **Background**

The New York City carriage-horse industry is regulated by the New York City Administrative Code Titles 17 and 20 and the Rules of the City of New York Titles 6 and 24. The Department of Health and Mental Hygiene (DOHMH) and the Department of Consumer Affairs (DCA) are the key agencies responsible for overseeing and licensing the horses, carriage-horse drivers, carriages, and stables. During Fiscal Year 2006, there were approximately 221 licensed horses, 293 licensed drivers, and 68 licensed carriages that provided horse-drawn carriage rides to the public.

The horses are monitored by the office of Veterinary Public Health Services (VPHS) at DOHMH. VPHS is responsible for reviewing and approving each carriage-horse license application and Certificate of Health (signed by a New York State-licensed veterinarian) stating that the horse is able to work. Once approved, the license application is forwarded to DCA, which issues the horse license. Each year, horse owners must renew their horse licenses by providing a current Certificate of Health to VPHS. The regulations prohibit carriage-horses from working more than 9 hours in a 24-hour period and from working when the temperature reaches below 18 degrees Fahrenheit or above 90 degrees Fahrenheit. The regulations also require that horses be housed in stables when they are not working.

Drivers who operate horse-drawn carriages are licensed by DCA. These licenses are renewed biennially on even-numbered years. As part of the licensing process, drivers are required to pass an exam, offered by VPHS, consisting of written and practical sections. Additionally, every driver must complete a five-day apprenticeship with a licensed horse-carriage driver.

Horse-drawn carriages are licensed by DCA and are also renewed biennially on even-numbered years. According to DCA, the number of carriage licenses (medallions) issued by DCA has been limited to 68. According to the New York City Administrative Code, carriage license plates must be affixed to the rear axle of every licensed carriage. In addition, DCA is required to inspect every horse-drawn carriage at least once every four months. DCA regulations restrict the operation of horse-drawn carriages to specified times within certain portions of Central Park and the Midtown-Lincoln Center area.

When they are not working, horses are housed in one of five stables on the west side of Manhattan between 37th and 52nd Streets. The stables are licensed by DOHMH; licenses are renewed each year by DCA. The stables are required to have stalls with sufficient bedding of straw, shavings, or other suitable materials that are changed as often as necessary to maintain a clean and dry environment. Owners must provide the horses with adequate food, water, heating, and ventilation. The Administrative Code and the Rules of the City of New York authorize DOHMH to inspect the carriage-horse stables.

While DOHMH and DCA have regulatory responsibilities, the American Society for the Prevention of Cruelty to Animals (ASPCA) unofficially has a large role in monitoring the

carriage-horse industry. The ASPCA regularly performs inspections of carriage-horses at both the stables and the field to observe the condition of the carriage-horses. During their observations of the carriage-horses in the field, they also note any issues they observe with regard to the carriages and the licenses of the drivers. Additionally, the ASPCA inspects stables to ensure their compliance with established regulations and issues violations on behalf of DOHMH and DCA. Those violations are adjudicated by the administrative tribunal of the appropriate agency.

### **Objectives**

The objectives of this audit were to determine whether DOHMH and DCA:

- have adequate controls over the licensing and oversight of carriage-horses, drivers, carriages, stables, and
- comply with applicable rules and regulations of the City of New York concerning the carriage-horses, drivers, owners, and stables.

### **Scope and Methodology**

The scope period of this audit was July 1, 2005, through March 30, 2007. Our review included the applicable rules and regulations of the carriage-horse industry as specified in Administrative Code Title 17 (§17-326–§17-334.1) and Title 20 (§20-372–§20-384), Rules of the City of New York Title 6 (Chapter 2, Subsection U, §2-212) and Title 24 (Chapter 4, §4-01–§4-07), as well as, the VPHS *Horse Registration and Renewal Procedure Manual*, the VPHS Web site, and the DCA Web site.

To obtain an overview of the licensing and oversight functions performed by DOHMH and DCA, we interviewed the VPHS Deputy Director, the DOHMH Director of Licensing, and the DCA Deputy Commissioner of Operations, Director of Enforcement, and Deputy Director of Licensing Operations. For additional background material, we interviewed the ASPCA Vice President for Humane Law Enforcement.

We conducted a total of seven unannounced field observations between December 1, 2006, and December 26, 2006, to determine whether only licensed horses, drivers, and carriages were giving rides to passengers. The observations took place at the hack lines (areas where the horses line up to pick up passengers) adjacent to Central Park at different times of day, including one day when we were present both during the day and the evening to ensure that horses were not working more than the allowable nine hours per day. We observed the following:

- 92 horses, to determine whether the horses had a unique DOHMH license number (brass tag) and that this number matched the number branded into the front left hoof of the horse, as required.



- 63 carriages, to determine whether each carriage had a DCA license plate affixed to the back of the carriage. Based on the date of the expiration sticker attached to each plate, we were able to determine whether the license was current. In addition, we determined whether each carriage had a visible sign on the outside of the carriage indicating the correct prices for the rides.
- 86 drivers/owners, to determine whether each held a valid DCA carriage-horse driver's license and whether the photo on the license matched the driver.

To ensure that horses were not working on days when the temperature fell below 18 degrees Fahrenheit (-7.78 degrees Celsius), we visited the hack lines on January 26, 2007, a day when the temperature was 12 degrees Fahrenheit.

### **Horses**

DCA provided us with a list generated on January 16, 2007, from the New York City Agencies' Management Information System (CAMIS), indicating that there were 219 licensed carriage-horses.<sup>2</sup> To evaluate the reliability of data, we randomly selected a sample of 30 horses and matched several fields, including the CAMIS number, tag number, DOHMH license number, horse-owner name and address, to the corresponding data in the DCA hardcopy files. In addition, we compared the 92 tag numbers on the horses we observed in the field against the list of current tag numbers on CAMIS. We also compared 218 tag numbers from a listing of horses that we compiled from Certificates of Health in the VPHS carriage-horse files to the CAMIS listing.<sup>3</sup>

At VPHS, we reviewed all 218 carriage-horse files to determine whether:

- The files contained the original Certificates of Health for calendar year 2005 and 2006 along with a copy of a VPHS horse-license application.
- The veterinarian who completed and signed the Certificates of Health was currently licensed according to the New York State Education Department's Office of the Professions Web site.
- Both Certificates of Health described the same horse, including the horse's name, age, sex, physical description, and tag number.
- There was a file at VPHS for each of the 92 horses we observed during our field observation.

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<sup>2</sup> Based on information from DCA files, there should have been an additional two horses on the list.

<sup>3</sup> VPHS did not have Certificates of Health on file for three horses licensed by DCA.

## **Carriage-Horse Drivers**

DCA provided us a January 2, 2007 CAMIS-generated list of 291 licensed drivers. To evaluate the reliability of data on this list, we randomly selected a sample of 30 driver's license numbers and matched several fields, such as the CAMIS number, DCA license number, driver name and address, to the applicable DCA hardcopy files. In addition, we compared the 86 license numbers of drivers we observed in the field against the CAMIS list of current driver's license numbers.

To assess DCA's controls over driver licensing, we reviewed 32 DCA driver files (30 randomly selected drivers and an additional 2 drivers who did not appear on CAMIS but were observed in the field) and looked for original application forms, current renewals, affidavits attesting to completion of a five-day apprenticeship, and certificates for successfully passing the VPHS driver's examination.

To ascertain whether DOHMH administers the Horse-Drawn Cab Operator's Exam every quarter, as required, we reviewed the files at VPHS to see how often the examination was administered during calendar year 2006. In addition, on January 10, 2007, we visited the office of VPHS and observed the registration process for the Horse-Drawn Cab Operator's Course. Our visit included making sure the applicants submitted a photo identification, an application form, and payment. On January 24, 2007, we observed VPHS administering the written and practical tests for 10 carriage driver applicants.

Nineteen drivers completed the VPHS carriage operator's course for calendar year 2006. To determine whether the person taking the examination was also the person who received the license, we selected 14 (12 on the CAMIS listing, 2 observed in the field) licensed drivers of the 19 who completed the VPHS course to compare the driver's photograph and certificate numbers on the driver's course certificates maintained at VPHS to copies of the certificates on file at DCA.

## **Carriages**

DCA provided us a January 2, 2007 CAMIS-generated list of 68 carriage licenses (medallions). To evaluate the reliability of data generated by CAMIS, we matched several fields, such as the CAMIS number, DCA license number, DCA plate number, owner's name and address, to all 68 DCA hardcopy files. In addition, we compared the 63 license plate numbers of carriages observed in the field against the list of carriage license plate numbers on CAMIS. To assess DCA controls over carriage licenses we reviewed all 68 medallion files and looked for either the original application or oldest renewal on file, current renewal, any changes in plate number, and certificate of insurance.

## **Stables**

On November 9, 2006, DOHMH provided us a list of five carriage-horse stables. To evaluate the reliability of data on the listing, we matched several fields, such as the CAMIS number, DOHMH license number, owner's name, and stable's address, to all five DCA hardcopy

files. To assess DOHMH's controls over stable licensing, we reviewed all five carriage-horse stable files and looked for the original application and current renewal.

To determine the conditions of the stables and whether they comply with the applicable regulations, we asked to accompany an ASPCA inspector to the stables the next time he was planning to visit. On December 15, 2006, we accompanied the inspector to two stables. With the inspectors' guidance, we observed whether there was sufficient food, water, bedding, ventilation, and whether every stall was clean and large enough for the horses to lie down. In addition, we observed whether the stables maintained the required records indicating the times horses were taken out to work and brought back in. In addition, on December 28, 2006, we accompanied the veterinarian consultant for DOHMH to all five stables.

### **Violations**

To determine whether the violations issued to drivers, horse owners, and stable owners were adjudicated by the appropriate agencies, we obtained and reviewed listings and/or copies of violations issued from July 1, 2005, through December 31, 2006. Of the 77 violations issued, we selected 30 DCA violations (25 were randomly selected and 5 were judgmentally selected) and all 10 DOHMH violations to review the corresponding files for their results.

The results of all of the above tests in which samples were taken, while not statistically projected to the populations from which the samples were drawn, provided a reasonable basis for us to assess the adequacy of DOHMH's and DCA's controls over the licensing and oversight of carriage-horses, drivers, owners, and stables, and compliance with applicable City rules and regulations.

This audit was conducted in accordance with generally accepted government auditing standards (GAGAS) and included tests of the records and other auditing procedures considered necessary. It was performed in accordance with the audit responsibilities of the City Comptroller 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 DOHMH and DCA officials during and at the conclusion of this audit. A preliminary draft report was sent to DOHMH and DCA officials and discussed at an exit conference held on April 27, 2007. On May 21, 2007, we submitted a draft report to DOHMH and DCA officials with a request for comments. We received a written response from DCA officials on June 5, 2007 and from DOHMH officials on June 11, 2007. In their responses, DCA officials generally agreed with the five recommendations addressed to them and did not directly respond to one recommendation relating to ensuring that all required information is received and reviewed before issuing a carriage-horse driver's license. DOHMH officials agreed with the five recommendations addressed to them.

The full texts of the responses from DCA and DOHMH are included as addenda to this report.

## FINDINGS AND RECOMMENDATIONS

DOHMH and DCA have adequate controls over the licensing of carriage-horses, carriage drivers, carriages, and stables, and generally comply with the applicable rules and regulations of the City of New York. When we performed field observations at the hack lines, we observed that, in general, the carriages had current license plates, horses had brass tags with identification numbers that matched the numbers branded into the hooves, and drivers held current driver's licenses. In addition, when we visited the hack lines on a day when the temperature fell to 12 degrees there were no horses working. Neither the ASPCA inspector nor the DOHMH veterinarian consultant found any serious violations regarding the health and safety of the horses when we accompanied them to the stables.

Our review of DOHMH files showed that they provided the required training program and examinations to drivers of horse-drawn carriages and maintained the Certificates of Health for the horses. In addition, our review of DCA files showed that the agency issued and renewed licenses to horses, carriages, and drivers.

However, the Administrative Code statute relevant to the industry includes a requirement for an Advisory Board to have been established, but DOHMH has failed to establish the Board since the enactment of the statute. As a result, regulations promoting the health, safety, and well-being of the carriage-horses remain broad and general in scope. Further, both agencies' efforts in monitoring and overseeing the carriage-horse industry raise concerns. During Fiscal Year 2006, the DOHMH veterinarian consultant did not examine the condition of any of the horses in the field, and DCA inspectors did not perform the required number of inspections of the horse-drawn carriages.

Additionally, both DOHMH and DCA rely on ASPCA to perform inspections of the stables and of horses, drivers, and carriages in the field. ASPCA performs these duties without a formal agreement. Without a formal agreement, DOHMH and DCA have no control over the ASPCA's monitoring activities, plus the ASPCA could suddenly reduce or curtail its oversight role, which would leave a void in the oversight of the industry.

***DOHMH Response:*** DOHMH took exception to our statement that it relies on ASPCA to perform inspections and stated: "Although generally positive, this draft report understates the extent of our existing inspectional program and its effectiveness in assuring the health of carriage horses. It is not accurate to say that DOHMH has effectively delegated this issue to the ASPCA, as we send a licensed veterinarian to each stable at least four times a year to review the facilities and observe the general health of the horses. We do agree that it would be appropriate to expand our inspectional program to include some field activities."

DOHMH further stated later in its response: "Our stable inspections are generally (though not invariably) scheduled prior to 10 a.m., when horses are present and not at work. Veterinary Public Health Services (VPHS) inspections are performed by a licensed veterinarian who specialized in and has significant equine experience. Since it is not a legal requirement that stables be inspected by veterinarians, the fact that we use a

licensed veterinarian for this job indicates that our stable inspections are intended to include oversight of equine health.”

***Auditor Comment:*** During the course of the audit, DOHMH officials stated numerous times that the ASPCA was performing regular inspections of both stables and horses and that they did not feel it necessary to duplicate the ASPCA’s efforts. In addition, we acknowledge that DOHMH’s veterinarian consultant inspects the stables at least four times a year. However, based on our analysis of the time spent on inspections performed during Fiscal Year 2006, we estimated that the veterinarian consultant spent, on average, 25 minutes for each inspection. The 25 minutes included traveling from one stable to the next, inspecting the condition of the facilities, reviewing the paperwork maintained by the horse owners, and completing required paperwork. Based on this analysis, we believe there was limited time available for the veterinarian consultant to observe the overall physical condition of the horses.

These as well as other findings are discussed in detail in the following sections of this report.

### **DOHMH Failed to Establish the Required Advisory Board**

Title 17 of the Administrative Code requires that DOHMH, with the advice of an Advisory Board, be responsible for promoting the health, safety, and well-being of the horses that are required to be licensed. The code, however, does not, with any specificity, provide actual regulations and procedures that DOHMH must follow to accomplish these tasks. Instead, as stated above, the code required that the DOHMH commissioner set up an Advisory Board consisting of five members—two members who are rental horse owners operating in the City, two members from the public-at-large, and one veterinarian. This board would then be charged with making recommendations to the DOHMH commissioner regarding specific regulations necessary to promote the health, safety, and well-being of the horses. The Board was supposed to have started meeting during the early 1980s. However, according to DOHMH officials, this Advisory Board has not been established since the law was enacted; as a result, DOHMH’s oversight duties and responsibilities were never clearly established, and regulations were never promulgated to promote the health, safety, and well-being of the horses.

For example, DOHMH has no written guidelines regarding when and how often stables should be inspected. While DOHMH uses a private veterinarian to inspect the stables, according to the former Deputy Director of VPHS the veterinarian inspects stables on an as-needed basis, as determined by the Deputy Director, but at least four times a year. The description of services in the Fiscal Years 2006 and 2007 purchase orders provides for the services to include, “monthly inspect permitted carriage-horse stables, perform cyclical inspections of riding stables, evaluate the health condition of licensed working horses in the field.” Our review of the veterinarian’s timesheets and inspection reports for calendar year 2006 shows that the veterinarian inspected each of the five stables on five different visits. However, the veterinarian never went out to the field to examine the condition of the horses.

When we asked DOHMH officials why there was so little oversight of the industry by their agency, they stated that the ASPCA had over time increased its monitoring. The DOHMH officials stated they did not feel it necessary to duplicate the ASPCA efforts since the ASPCA regularly sends out its own inspectors who issue violations on the agency's behalf. While we did not see any ASPCA inspectors monitoring the hack lines during our observations, the owners/drivers confirmed that ASPCA inspectors were out quite frequently.

We met with ASPCA officials who confirmed that they took it upon themselves to increase the oversight duties of the carriage-horse industry because over the years they saw a decline of monitoring of this industry by DOHMH. We believe that since there is no official agreement between the ASPCA and DOHMH regarding the performance of inspections, it is possible that ASPCA could reduce or curtail its voluntary inspections at any time, leaving a void in the oversight of the industry.

Moreover, during our audit certain issues were brought to our attention by the carriage-horse owners/drivers and ASPCA officials that affect the well-being of the horses and could well be addressed by the Advisory Board. Among them are the following:

- There are no established hack stands or areas clearly identifying where carriages may pick up passengers, nor are there hitching posts where horses could be tethered while they are waiting.
- There are no water spigots in the areas carriages wait to pick up passengers, which makes it difficult to obtain drinking water for the horses and to clean up the dust that accumulates.
- There is inadequate drainage where the horses line up; thus, the horses are left to stand in pools of dirty water.
- During the summer months, the asphalt where the horses line up becomes very hot. Other materials, such as concrete, would be easier on the horses' hooves. In addition, on hot days, there is little shade for the horses, which could cause them to overheat.

By not establishing the Advisory Board, DOHMH's role in the carriage-horse industry remains broad and general in scope. The process envisioned by the writers of the Administrative Code statute creating an Advisory Board appears to acknowledge that the few requirements contained in the statute were inadequate to care for the horses. It should be noted that the existing City regulations over this industry were established more than 25 years ago. Information that is now available may not have been available when these rules were promulgated and it may be that certain issues are not adequately addressed, if addressed at all. An Advisory Board would help to ensure that rules reflect the current knowledge of the industry and cover such topics as the size of horse stalls and age limits for carriage-horses. In addition, an Advisory Board would allow different groups involved in this industry to discuss improvements needed to benefit both the horses and customers.

## **Recommendations**

DOHMH should:

1. Establish the required Advisory Board, as set forth in the Administrative Code. Once established, DOHMH and the Advisory Board should promulgate clear regulations to promote the health, safety, and well-being of the carriage-horses.

***DOHMH Response:*** DOHMH agreed stating, “We recognize that a carriage horse advisory board should be established and will establish such a board.”

2. Establish written guidelines that include how often a veterinarian should inspect the stables as well as how often the horses should be evaluated in the field.

***DOHMH Response:*** DOHMH agreed stating, “We agree that our current practices of at least four annual inspections of the carriage horse stables should be established as a policy. We intend to prepare written guidelines that will indicate the minimal number of annual inspections of stables; clarify the responsibilities of the veterinarian with regard to visual observation of horses during stable inspections, and actions to be taken if the observation indicates a problem; and incorporate a methodology for periodically observing carriage horses while they are at work.”

3. Determine how oversight for the monitoring of the established guidelines will be accomplished in the future. Should the determination be that an organization other than DOHMH, such as the ASPCA, is to be responsible, then a competitive contract for such services should be considered.

***DOHMH Response:*** DOHMH agreed stating that “we intend to produce clear guidelines for our own inspectional program that will include both stable and ‘field’ inspections. We do not intend to hold another organization responsible for this. It should be noted that in New York State, only police officers, constables, and the ASPCA, not local departments of health, may enforce the State humane law...Since the ASPCA is authorized by State humane laws with direct oversight responsibilities, and does perform some activities related to carriage horses, we intend to reach out to them concerning how best to share information regarding issues related to the treatment of carriage horses.”

## **Other Matters**

According to Title 17 of the Administrative Code, horses must be examined annually by a qualified veterinarian and approved to perform the work of a carriage-horse. Since the horses are not physically present when the Certificates of Health are reviewed by the DOHMH veterinarian, it would seem important for the DOHMH veterinarian to carefully review and compare the current information with the information on prior years’ certificates to ensure that horses are not being switched or that one license number is used for several horses.

When we initially compared information on the Certificates of Health submitted for calendar year 2006 with the information on the certificates submitted for calendar year 2005, we found differing information to describe the horses on 57 of the 135 Certificates of Health we reviewed.<sup>4</sup> These differences included variances in age, color, breed, and name of the horses. However, according to the DOHMH veterinarian who reviews and approves the Certificates of Health, the descriptive information contained in the certificates is inexact and not a reliable source for determining a horse's identity. For example, she stated that determining the age of a horse is difficult, especially as the horse ages. In addition, the horse color may appear differently, depending on the light of day or whether the horse is examined indoors or outdoors. She stated that she uses the tag number branded on the hoof and written on the Certificate of Health primarily to determine a horse's identity. If there is a significant difference from one year to the next, the veterinarian stated that she will have the Certificate of Health sent back to the owner. For 56 of the 57 Certificates of Health, she stated that none of the differences were significant enough to warrant further investigation. While the veterinarian's explanations appear plausible, we are still troubled by the large number of certificates with differing information.

For the remaining one, however, a horse was listed as a gelding (male) one year and a mare (female) the following year. She did not know why she approved this certificate and said that the agency will look into the matter. We did not identify any instances in which the tag number for a horse differed from one year to the next.

### **Recommendation**

DOHMH should:

4. Investigate the circumstances related to the horse listed on the Certificate of Health as a gelding one year and a mare the following year.

**DOHMH Response:** DOHMH agreed stating, "We have investigated this issue and have noted that the form needs to be revised. We contacted the stable where the horse in question was lodged when in the City and were informed that the owner moved the horse to his farm. We were also informed that the owner was out of the country, which prevents us from following up at this time. We have flagged this file for follow-up should the owner wish to renew the license, and have prepared and sent a letter to the owner concerning this issue."

5. Establish additional criteria that can be used in conjunction with tag numbers to help ensure the identity of the carriage-horses.

**DOHMH Response:** DOHMH agreed stating, "We will take the auditors' suggestion into consideration, and will contact several other cities to determine what methodology they use to help ensure the identity of carriage horses."

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<sup>4</sup> Of the 218 carriage-horse files we reviewed, 135 files contained Certificates of Health for both years.



### **DCA Renews Licenses Prior to VPHS Approval**

During our review of the VPHS carriage-horse files, we noticed that 6 of the 143 Certificates of Health needed to renew a license had notations on the back that stated that the certificates were received from DCA.

When we asked DOHMH about this, they stated that even though all renewals are to come through DOHMH first for VPHS review, in some instances DCA receives the renewal application and original Certificate of Health directly from the horse owners. In these instances, DCA proceeds to process the renewal applications and issue the licenses. In most instances, DCA, subsequently, forwarded the original Certificate of Health to VPHS.

Since DOHMH is required to ensure that every licensed horse is examined by a New York State-licensed veterinarian and is physically able to perform the work or duties required of it, DCA should not have accepted these applications and certificates, nor should they have issued a horse license or renewal. Instead, they should have returned the documents to the owners for submission to DOHMH for approval.

#### **Recommendation**

6. DCA should return to owners any renewal applications for horse licenses and original Certificates of Health that have bypassed prior DOHMH approval for the owners to submit to DOHMH.

***DCA Response:*** DCA generally agreed stating, “DCA has reviewed all relevant license renewal files, and it appears the six instances cited in the report were isolated cases which stemmed from a miscommunication with the DOHMH. The Original Certificates of Health have been returned to DOHMH. The Deputy Director of DCA’s Licensing Division has issued an updated directive to all Licensing staff clearly outlining that they should not accept for processing any horse license renewals received directly from licensees.”

***Auditor Comment:*** Although we made reference to six instances in which carriage-horse licenses were renewed prior to DOHMH approval during Calendar Year 2006, after our field work was completed we found seven additional licenses that were renewed during Calendar Year 2005 without first being approved by DOHMH. We informed DCA officials at the exit conference of the seven additional instances and therefore believe that the six instances mentioned in the report were not isolated cases.

### **DCA Improperly Issued Two Carriage-Horse Driver’s Licenses**

We found two drivers who showed us a valid DCA-issued driver’s license in December 2006, but who were not listed in the electronic files we received from DCA on January 2, 2007. We obtained the two drivers’ files from DCA; neither of these drivers had a valid affidavit

stating that they completed the required apprenticeship with a licensed driver. As a result they should not have been issued a license.

According to the DCA license application checklist for horse-drawn carriage drivers, one of the requirements is that applicants must complete a five-day apprenticeship with a licensed carriage-horse driver and submit a notarized affidavit documenting the completion of the apprenticeship. When we reviewed the files for the two drivers, we found that the apprenticeship certificate was signed by the applicant instead of by the licensed driver. In addition, there were letters from DCA to the applicants on file requesting the required affidavit. (These letters were dated prior to the beginning of our audit.) After the exit conference, DCA officials provided us the correct affidavits from these drivers.

### **Recommendation**

7. DCA should ensure that all required information is received and reviewed before issuing a carriage-horse driver's license.

**DCA Response:** DCA did not directly respond to the recommendation and stated, "There are 293 licensed carriage-horse drivers and at the time the audit was conducted, DCA was aware that the two drivers noted in the report had improperly signed affidavits on file. In fact, DCA had already directed them to submit the properly signed affidavits to DCA, and had also placed the licensees' files on 'alert' status. The affidavits were subsequently received and the driver's files are presently up-to-date. Copies of the affidavits were delivered to the City Comptroller's office subsequent to the exit conference as noted in the draft report."

**Auditor Comment:** Although DCA placed the two drivers in question on "alert" status and directed them to submit the proper affidavits, DCA received the correct affidavits from both drivers approximately eleven months after their licenses were issued. Both drivers were operating for almost an entire year under licenses issued by DCA without having met the requirements for licensure. We reiterate our recommendation that DCA prevent future drivers from being issued licenses by requiring that all document requirements are met before the applications are approved.

### **DCA Is Not Performing Required Horse-Drawn Carriage Inspections**

DCA inspectors are not performing the required number of inspections on all horse-drawn carriages. According to the Administrative Code, DCA is required to inspect all horse-drawn carriages at least once every four months. These inspections are supposed to be recorded on an inspection card displayed in a mounted frame in the carriage.

According to DCA officials, they are not performing these inspections because it would not be a good use of their resources to inspect all carriages every four months. They stated that they send an inspector to the hack lines during one day in December and one day in April to perform inspections of carriages, since these days are in what it considered to be the busiest

times of the year for the industry. In addition, they stated that the ASPCA is monitoring the industry; however, DCA does not have any written agreement with the ASPCA stating that the ASPCA is to perform these inspections.

Moreover, when we were performing our observations of the carriages in the field, we did not see any inspection cards on the carriages. When we asked the drivers to see the inspection cards, they stated that they were never told about, nor did they receive, these inspection cards.

While we were performing our observations, we found one carriage, plate number 1303, which was not included on DCA's list of 68 carriage licenses. When we asked DCA officials why this carriage-horse plate was not listed, they did not have an explanation. Since only 68 licensed carriages are allowed to operate, the carriage with plate number 1303 is unlicensed and may not be legal to operate.

We reviewed violations written by ASPCA for the lack of required lighting on carriages, the presence of too many passengers in a carriage, the covering of the rate sign on the carriage, and the overcharging of passengers. By not inspecting all carriages once every four months, as required, DCA is not ensuring that all carriages are licensed, safe, and that the horses, drivers, and public are not at risk.

### **Recommendation**

DCA should:

8. Immediately inspect all horse-drawn carriages that have not been inspected during the most recent four-month period to ensure that they are licensed, safe, and that the horses, drivers, and public are not at risk.

**DCA Response:** DCA agreed stating, "DCA's Manhattan Enforcement Squad previously conducted 25 comprehensive carriage horse inspections during April 2007 at and around the hack lines at Central Park. DCA will have completed the remaining comprehensive inspections of licensed horse-drawn carriages at their respective stables within a few weeks of this response."

9. Comply with the Administrative Code and the Rules of the City of New York by conducting the required carriage inspections or by entering into a formal agreement with an organization that requires it to perform all required carriage inspections.

**DCA Response:** DCA generally agreed stating, "As discussed in the audit, horse carriages rarely present consumer concerns. . . . As such, DCA has proposed to modify the Administrative Code to reduce the number of annual inspections to once yearly in order to more accurately reflect both the relevant risks and the countervailing resource demands of the Department. Nonetheless, as noted above, DCA's Manhattan Enforcement Squad will be completing inspections for any remaining licensed horse drawn carriages within just a few weeks of this Response. DCA's Enforcement Squad

inspection strategy for the upcoming Fiscal Year will ensure that all inspections required by the Administrative Code and the Rules of the City of New York are completed.”

10. Issue inspection cards to all carriage owners and require that they be mounted on the carriages so that all inspections are publicly documented.

**DCA Response:** DCA agreed stating, “In April 2007, DCA mailed letters with inspection cards to the owners of each of the 68 medallion carriages with instructions detailing where the inspection cards should be mounted on the carriages. . . . DCA inspectors will verify that inspection cards are properly mounted on licensed carriages and will sign and date them upon the completion of a satisfactory inspection. Inspectors will provide and ensure the immediate mounting of inspection cards for any carriages found not to have them. Future inspections that disclose missing inspection cards will result in the issuance of a violation.”

11. Investigate the carriage which bears plate number 1303 to determine why it was operating.

**DCA Response:** DCA agreed; however, it stated, “As a result of our extensive investigation into this license plate number and the absence of any credible documentation, DCA has concluded that license plate 1303 does not exist. DCA performed an extensive investigation into a carriage which the plate 1303, about which auditors noted. . . . They specifically looked at the logs for December 7, 2006 and December 26, 2006 as these were the days the auditors said they observed license plate number 1303. . . .

“On December 7, 2006, driver F. Flood signed out of the stable at 9:30 am and signed in at 5:19 pm. The license plate on the carriage was noted to be 1133. Again, on December 26, 2006, the same driver signed out at 9:30 am and in at 5:12 pm. As was noted on December 7, 2006, the license number on the carriage was 1133. . . .

“Perhaps also helpful in assessing this recommendation, DCA’s inspectors discovered that the auditors also supplied DCA with erroneous numbering information for December 7, 2006, in that auditors referred to a carriage with the number ‘2775’ when, in fact, the actual plate number was ‘1975,’ with no number 2775 listed in the logbook for that date.”

**Auditor Comment:** We maintain that plate number 1303 was observed by two auditors on two separate occasions. In fact, the auditors also observed plate 1133 during their observations and did not mistake one for the other. Additionally, the suggestion that the audit team provided DCA with erroneous numbering information is incorrect. As stated in the Scope and Methodology section (page 5) of this report, our observations included matching the horse’s brass tag number attached to the horse’s harness with the number branded into the horse’s hoof. Both of these numbers had to match, otherwise we would have noted the fact that they did not match. On the other hand, DCA is relying on a written entry made by the driver in the stable’s log book. We observed the driver, who

drove horses 1975 and 2775 on separate occasions and conclude that he could have mistakenly written one number instead of the other.

THE CITY OF NEW YORK  
DEPARTMENT OF HEALTH  
OFFICE OF THE COMMISSIONER



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June 11, 2007

John Graham, Deputy Comptroller  
Audits, Accountancy & Contracts  
Office of the Comptroller  
1 Centre Street  
New York, NY 10007-2341

Re: Draft Audit Report on the  
Licensing and Oversight of the  
Carriage-Horse Industry by the  
Departments of Health and Mental  
Hygiene and Consumer Affairs  
MH07-092A

Dear Mr. Graham:

We are pleased to have the opportunity to respond to this draft report, which found that DOHMH generally has adequate controls and complies with applicable rules related to carriage horse operations in New York City.

Although generally positive, this draft report understates the extent of our existing inspectional program and its effectiveness in assuring the health of carriage horses. It is not accurate to say that DOHMH has effectively delegated this issue to the ASPCA, as we send a licensed veterinarian to each stable at least four times a year to review the facilities and observe the general health of the horses. We do agree that it would be appropriate to expand our inspectional program to include some field activities. We also plan to establish an advisory board. More detailed comments on the report and the recommendations are attached.

We appreciate the courtesy and professionalism of your staff in the performance of this audit. If you have any questions or need further information, please contact Thomas Hardiman, Director, Internal and External Audits, at (212) 219-5285.

Sincerely,

Thomas R. Frieden, M.D., M.P.H.  
Commissioner

**Response to Audit Report  
on the Licensing and Oversight of the Carriage-Horse Industry  
by the Departments of Health and Mental Hygiene  
and Consumer Affairs  
MH07-092A  
June 11, 2007**

We are pleased that your audit team acknowledged that "DOHMH and DCA have adequate controls over the licensing of carriage horses, carriage drivers, carriages and stables, and generally comply with the applicable rules and regulations of the City of New York." In addition, we note that while some of the auditors' comments and observations are valid, the audit does not demonstrate any significant problems concerning the treatment of carriage horses in New York City.

We take exception to the following statement(s), which we believe are misleading or incorrect.

Audit Findings and Conclusions – page 2 and Findings and Recommendations page 9:  
*"During Fiscal Year 2006, DOHMH veterinarian consultant did not examine the condition of any of the horse in the field. . ."*

This gives the mistaken impression that because DOHMH currently does not conduct inspections of horses at work, we do not evaluate the general health of carriage horses. This is not the case.

Our stable inspections are generally (though not invariably) scheduled prior to 10 a.m., when horses are present and not at work. Veterinary Public Health Services (VPHS) inspections are performed by a licensed veterinarian who specializes in and has significant equine experience. Since it is not a legal requirement that stables be inspected by veterinarians, the fact that we use a licensed veterinarian for this job indicates that our stable inspections are intended to include oversight of equine health.

The VPHS veterinarian consultant, in the course of the stable inspection, observes the general health of the horses. Our veterinarian performs observations for overall physical condition and attitude of the horse and determines whether there are obvious wounds, sores or evidence of any stress that may inhibit the horse's ability to work. If our veterinarian observes a horse that appears to have a health issue not being addressed he may choose to perform a closer review. If our veterinarian finds any horse that appears sick he prohibits the horse from working and requires the owner to have the horse examined and treated by a private veterinarian and that a report be submitted to VPHS for veterinarian review before the horse can be allowed to return to work.

Audit Findings and Conclusions – page 2 and Findings and Recommendations page 9:  
*"...DOHMH [and DCA]. . . rely on ASPCA to perform inspections of stables and of horses . . . in the field."*

The auditors were told during the audit that carriage horse stables were to be inspected at least 4 times each year. The audit report clearly indicated (page 10) that for calendar year 2006 the veterinarian consultant performed individual inspections of each of the five stables five times during 2006. In calendar year 2006 VPHS veterinarian consultant performed a total of twenty-five stable inspections. Therefore, we clearly do not rely upon the ASPCA to perform stable inspections.

In addition, as indicated above, our veterinarian, while inspecting the stables, also performs a visual observation of the horses to determine if any of the animals display any evidence of stress or other health factor that may inhibit their ability to work, and will take whatever action is deemed necessary to address those issues. The consultant's timesheets clearly shows that most visits to the stables are in the early morning hours (prior to 10 a. m.) when most of the horses are still in the stable, which enables our veterinarian to view most, if not all, the horses.

Nevertheless, we recognize that we do not have a written inspection process for monitoring the horses while they are at work, and we are currently discussing alternative methods for addressing this.

Below are responses to the specific recommendations made in the audit report.

**Recommendation 1:**

Establish the required Advisory Board, as set forth in the Administrative Code. Once established, DOHMH and the Advisory Board should promulgate clear regulations to promote the health, safety, and well being of the carriage horses.

**DOHMH RESPONSE:**

We recognize that a carriage horse advisory board should be established and will establish such a board.

**Recommendation 2:**

Establish written guidelines that include how often a veterinarian should inspect the stables as well as how often horses should be evaluated in the field.

**DOHMH RESPONSE:**

We agree that our current practices of at least four annual inspections of the carriage horse stables should be established as a policy. We intend to prepare written guidelines that will:

- Indicate the minimal number of annual inspections of stables
- Clarify the responsibilities of the veterinarian with regard to visual observation of horses during stable inspections, and actions to be taken if the observation indicates a problem.



- Incorporate a methodology for periodically observing carriage horses while they are at work.

**Recommendation 3**

DOHMH should determine how oversight for the monitoring of the established guidelines will be accomplished in the future. Should the determination be that an organization other than DOHMH, such as the ASPCA, is to be responsible, then a competitive contract for such services should be considered.

**DOHMH RESPONSE:**

As stated above, we intend to produce clear guidelines for our own inspectional program that will include both stable and "field" inspections. We do not intend to hold another organization responsible for this.

It should be noted that in New York State, only police officers, constables, and the ASPCA, not local departments of health, may enforce the State humane law (Article 26 of the Agriculture and Markets Law). If we identify instances of maltreatment of horses in the course of our inspections we would refer and work with the ASPCA for further investigation.

Since the ASPCA is authorized by State humane laws with direct oversight responsibilities, and does perform some activities related to carriage horses, we intend to reach out to them concerning how best to share information regarding issues related to the treatment of carriage horses.

**Recommendation 4**

Investigate the circumstances related to the horse listed on the Certificate of Health as a gelding one year and a mare the following year.

**DOHMH RESPONSE:**

We have investigated this issue and have noted that the form needs to be revised. We contacted the stable where the horse in question was lodged when in the City and were informed that the owner moved the horse to his farm. We were also informed that the owner was out of the country, which prevents us from following up at this time. We have flagged this file for follow-up should the owner wish to renew the license, and have prepared and sent a letter to the owner concerning this issue.

**Recommendation 5**

Establish criteria that can be used in conjunction with tag numbers to help ensure the identity of carriage-horses.

**DOHMH RESPONSE:**

We will take the auditors' suggestion into consideration, and will contact several other cities to determine what methodology they use to help ensure the identity of carriage horses.



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June 5, 2007

John Graham, Deputy Comptroller  
Audits, Accountancy & Contracts  
NYC Office of the Comptroller  
One Centre Street, 5<sup>th</sup> Floor  
New York, NY 10007

Dear Mr. Graham,

The Department of Consumer Affairs (DCA) appreciates the opportunity to respond to the May 21, 2007, *Draft Audit Report on the Licensing and Oversight of the Carriage-Horse Industry by the Departments of Health and Mental Hygiene and Consumer Affairs – MH07-092A*.

Below are the specific responses to each of the recommendations made in the draft report provided to DCA.

**Recommendation #6** – DCA should return to owners any renewal applications for horse licenses and Original Certificates of Health that have bypassed prior DOHMH approval for the owners to submit to DOHMH.

**DCA Response:** DCA has reviewed all relevant license renewal files, and it appears the six instances cited in the report were isolated cases which stemmed from a miscommunication with the DOHMH. The Original Certificates of Health have been returned to DOHMH. The Deputy Director of DCA's Licensing Division has issued an updated directive to all Licensing staff clearly outlining that they should not accept for processing any horse license renewals received directly from licensees.

**Recommendation #7** – DCA should ensure that all required information is received and reviewed before issuing a carriage-horse driver's license.

**DCA Response:** There are 293 licensed carriage-horse drivers and at the time the audit was conducted, DCA was aware that the two drivers noted in the report had improperly signed affidavits on file. In fact, DCA had already directed them to submit the properly signed affidavits to DCA, and had also placed the licensees' files on "alert" status. The affidavits were

**Response to Draft Audit Report on the Licensing and Oversight of the Carriage-Horse Industry by the Departments of Health and Mental Hygiene and Consumer Affairs**

**MH07-092A**

**June 5, 2007**

subsequently received and the driver's files are presently up-to-date. Copies of the affidavits were delivered to the City Comptroller's office subsequent to the exit conference as noted in the draft report.

**Recommendation #8** – DCA should immediately inspect all horse-drawn carriages that have not been inspected during the most recent four-month period to ensure that they are licensed, safe, and that the horses, drivers, and public are not at risk.

**DCA Response:** DCA's Manhattan Enforcement Squad previously conducted 25 comprehensive carriage horse inspections during April 2007 at and around the hack lines at Central Park. DCA will have completed the remaining comprehensive inspections of licensed horse drawn carriages at their respective stables within a few weeks of this response.

**Recommendation #9** – DCA should comply with the Administrative Code and the Rules of the City of New York by conducting the required carriage inspections or by entering into a formal agreement with an organization that requires it to perform all required carriage inspections.

**DCA Response:** As discussed in the audit, horse carriages rarely present consumer concerns. In fact only 1 complaint of the 7,575 complaints DCA docketed in FY06 dealt with horse carriages. The industry also has an extremely high 94% compliance rate with DCA regulations. As such, DCA has proposed to modify the Administrative Code to reduce the number of annual inspections to once yearly in order to more accurately reflect both the relevant risks and the countervailing resource demands of the Department. Nonetheless, as noted above, DCA's Manhattan Enforcement Squad will be completing inspections for any remaining licensed horse drawn carriages within just a few weeks of this Response. DCA's Enforcement Squad inspection strategy for the upcoming Fiscal Year will ensure that all inspections required by the Administrative Code and the Rules of the City of New York are completed.

**Recommendation #10** – DCA should issue inspection cards to all carriage owners and require that they be mounted on the carriages so that all inspections are publicly documented.

**DCA Response:** In April 2007, DCA mailed letters with inspection cards to the owners of each of the 68 medallion carriages with instructions detailing where the inspection cards should be mounted on the carriages. The letters also informed the carriage owners that "After June 1, 2007, any horse drawn cab found without a properly displayed inspection card will be subject to enforcement action."

DCA inspectors will verify that inspection cards are properly mounted on licensed carriages and will sign and date them upon the completion of a satisfactory inspection. Inspectors will provide and ensure the immediate mounting of inspection cards for any carriages found not to have them. Future inspections that disclose missing inspection cards will result in the issuance of a violation.

**Recommendation #11** – DCA should investigate the carriage which bears plate number 1303 to determine why it was operating.

**Response to Draft Audit Report on the Licensing and Oversight of the Carriage-Horse  
Industry by the Departments of Health and Mental Hygiene and Consumer Affairs**

**MH07-092A**

**June 5, 2007**

**DCA Response:** As a result of our extensive investigation into this license plate number and the absence of any credible documentation, DCA has concluded that license plate 1303 does not exist. DCA performed an extensive investigation into a carriage with the plate 1303, about which auditors noted. Using information provided by the auditors, DCA inspectors went to the Clinton Stables, 618 West 52<sup>nd</sup> Street, on May 4, 2007. At the stable, DCA inspectors (1) interviewed the stable owner, (2) reviewed the stable logbooks, and (3) reviewed license plates on all the horse-drawn carriages stored at the stable. The carriages were observed at 7:30 am and no carriage was observed with license plate number 1303. In addition, DCA inspectors examined carriage-horse log books for the period September 12, 2006 through May 3, 2007 and did not see any carriages listed in the logs with license plate 1303. They specifically looked at the logs for December 7, 2006 and December 26, 2006, as these were the days the auditors said they observed license plate number 1303. Since we were advised that the driver's name was F. Flood, license number 992306, and the horse license number was 1975, the inspectors noted the following entries for this driver on the two days cited.

On December 7, 2006, driver F. Flood signed out of the stable at 9:30 am and signed in at 5:19 pm. The license plate on the carriage was noted to be number 1133. Again, on December 26, 2006, the same driver signed out at 9:30 am and in at 5:12 pm. As was noted on December 7, 2006, the license number on the carriage was 1133. Consequently, without actual evidence such as a photo of license plate 1303, DCA has not been able to corroborate the existence of this plate number using the information provided by the auditors.

Perhaps also helpful in assessing this recommendation, DCA's inspectors discovered that the auditors also supplied DCA with erroneous numbering information for December 7, 2006, in that auditors referred to a carriage with the number "2775" when, in fact, the actual plate number was "1975", with no number 2775 listed in the logbook for that date.

Once again thank you for this opportunity to comment and please contact us with any questions you may have.

Sincerely,

  
Jonathan Mintz

cc: J. Herrmann, DCA  
A. Pico, DCA  
T. Nelson, DCA  
G. Pape, DCA  
A. Burkhart, DCA