



CITY OF NEW YORK  
**OFFICE OF THE COMPTROLLER**  
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DEPUTY COMPTROLLER FOR  
AUDIT

BUREAU OF AUDIT

June 24, 2016

**By Electronic Mail**

Commissioner  
Kathryn Garcia  
New York City Department of Sanitation  
125 Worth Street, Room 720  
New York, NY 10013

**Re: Final Letter Audit Report on the Department of Sanitation's Monitoring of Its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business (Audit Number SZ16-076AL)**

Dear Commissioner Garcia:

This Final Letter Report concerns the New York City ("City") Comptroller's audit of the Department of Sanitation's ("DSNY") monitoring of its employees who drive City-owned or personally-owned vehicles on City business. The objective of this audit was to determine if DSNY is effectively monitoring such employees' driving. The audit found that DSNY effectively monitors the driving behavior of its authorized drivers. This opinion does not include our review of DSNY's controls over vehicle usage, which will be discussed in a separate report.

**Background**

New York City requires that only those employees who exercise reasonable care in operating City-owned or personally-owned vehicles be allowed to use them to conduct City business. This requirement is outlined in the City of New York's "City Vehicle Driver Handbook" ("Handbook"). Agency heads, through their agency's Agency Transportation Coordinator ("ATC"), must ensure that all employees assigned a City-owned vehicle either for full-time use or temporary use have been authorized to drive. It is also the ATC's responsibility to ensure that each driver has a valid license. An employee's driver's license must be issued by New York State unless the employee is exempt from City residency requirements. In that case, 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 Handbook further specifies that City agencies must establish programs that promote safety along with proper training

in the use of motor vehicles.

City agencies participating in the New York State (“NYS”) Department of Motor Vehicles (“DMV”) License Event Notification System (“LENS”) program are required to monitor the driving behavior of their employees. The LENS program is designed to notify an ATC of any event that affects the driver’s license, such as an expired license, the accumulation of points, an accident, and charges against the driver for driving while impaired or driving under the influence. This enables the ATC to ensure that only employees with valid licenses are driving on City business.

In January 2014, the City launched the Vision Zero Action Plan (“Plan”), a comprehensive initiative to reduce driver, bicyclist, and pedestrian injuries and fatalities in New York City. The Plan detailed steps to improve street safety, including lowering the speed limit from 30 miles per hour to 25 miles per hour and increasing the penalties for driving with a suspended license and leaving the scene of an accident. The Plan also proposed increasing the number of red light cameras and installing additional traffic devices to control speeding. With respect to City employees, the Plan included implementing a citywide defensive driving program and adding safety-related equipment and devices to City vehicles.

### **Findings and Recommendations**

We found that DSNY effectively monitors the driving behavior of its authorized drivers. DSNY subscribes to the DMV’s LENS program, receives its updates and revokes the privileges of drivers who have suspended or revoked licenses in a timely manner as prescribed by regulations. Further, for its employees who do not live in NYS, DSNY has taken additional steps to ensure compliance with NYS DMV regulations so that those employees adhere to NYS motor vehicle regulations. In addition, DSNY ensures that all its licensed Sanitation drivers have the correct endorsements or classification to drive the appropriate vehicle. Moreover, DSNY provided its employees with a required safety awareness program.

DSNY should continue to monitor the driving behavior of its authorized drivers and take the appropriate steps as required. DSNY should continue to promote driver awareness and public safety programs.

### **Scope and Methodology**

We conducted this performance audit in accordance with generally accepted government auditing standards (“GAGAS”). 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 January 1, 2010, through June 2, 2016. Our audit reviewed all 9,113 authorized DSNY drivers in our scope period.

To meet our objectives, we obtained and reviewed the City's Handbook issued February 2009 and its subsequent updates (February 2014 and May 2016). To determine whether DSNY monitors its drivers in accordance with the City's Handbook, we obtained and reviewed the following: 1) a list of all DSNY employees who were authorized to drive on City business during our scope period, which included whether a license was necessary to maintain employment; 2) a copy of DSNY's annual LENS report, which lists all the individuals who the agency has authorized to drive on behalf of City business; 3) copies of the monthly LENS reports for September 2015 through November 2015; 4) copies of the weekly LENS reports from September 2015 through November 2015; 5) weekly DSNY Grounding Reports from September 2015 through November 2015; 6) documentation that the agency periodically checks the driver's licenses and insurance coverage of all employees who use a personally-owned vehicle; 7) documentation regarding disciplinary action (if necessary) for DMV notifications of changes in driver's license status; 8) documentation regarding inquiries of out-of-state license holders; and 9) a copy of policies and procedures concerning driving a City-owned or personally-owned vehicle on City business. In addition, on June 2, 2016, we completed DMV inquiries about the driving status of all 9,112 licensed DSNY drivers.

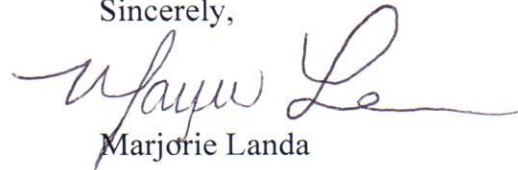
To determine the accuracy of the database of authorized drivers received from DSNY, we verified the drivers' licenses numbers of those recorded on LENS.

To determine whether DSNY offered driver's safety programs according to the Handbook, we requested and reviewed documentation regarding its safety programs. We also reviewed the City's Vision Zero Regulations to determine which DSNY employees would need additional safety training. We reviewed the driving histories of the 9,113 DSNY employees in accordance with the Plan. We also accessed the DMV's Dial-In Inquiry to determine the driving status of those employees who resided outside of New York State. We also performed DMV searches in other states' databases for the driving records of those 28 employees who resided outside of New York State.

The issues covered in this report were discussed with DSNY officials during and at the conclusion of this audit. On June 7, 2016, we submitted a draft report providing DSNY with the opportunity to formally respond. DSNY's response was received on June 9, 2016. In its written response, DSNY agreed with the report's finding and stated, "We are pleased with the results of the audit and appreciate your approval of the agency's efforts in effectively monitoring its drivers."

The full text of DSNY's comments is included as an addendum to this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Marjorie Landa". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marjorie Landa

- c: Dennis Diggins, First Deputy Commissioner
- Lorenzo Cipollina, Deputy Commissioner
- Shari Pardini, Chief, Internal Audits
- Stephen Harbin, Director of Safety and Training
- Mindy Tarlow, Director, Mayor's Office of Operations
- George Davis, III, Deputy Director, Mayor's Office of Operations



# sanitation

Kathryn Garcia Commissioner

Kathryn Garcia  
Commissioner

June 09, 2016

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The Honorable Marjorie Landa  
Deputy Comptroller for Audit  
Office of the Comptroller  
1 Centre Street, Room #1100  
New York, NY 10007

Re: Audit Report on the NYC Department of Sanitation's Monitoring of its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business (Audit Number SZ16-076A), dated June 7, 2016.

Dear Deputy Comptroller Landa,

Thank you for the opportunity to review and comment on your recent audit of the Department of Sanitation's monitoring of its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business. The audit report indicates that the agency is effectively monitoring the driving behavior of its authorized drivers, and recommends that we continue our monitoring.

We are pleased with the results of the audit and appreciate your approval of the agency's efforts in effectively monitoring its drivers.

Thank you.

Sincerely

Kathryn Garcia  
Commissioner