



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

BUREAU OF AUDIT

December 12, 2017

**By Electronic Mail**

Commissioner Mark G. Peters  
New York City Department of Investigation  
80 Maiden Lane, 18<sup>th</sup> Floor  
New York, NY 10038

**Re: Final Letter Audit Report on the Department of Investigation's Monitoring of Its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business (Audit Number SZ18-065AL)**

Dear Commissioner Peters:

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

**Background**

New York City requires that employees who operate City-owned or personally-owned vehicles to conduct City business must exercise reasonable care when driving them. That requirement is outlined in the City of New York's "City Vehicle Driver Handbook" ("Handbook"). Agency heads, working through their Agency Transportation Coordinators ("ATCs"), must ensure that all employees who are assigned a City-owned vehicle, either for full-time use or temporary use, are authorized by their respective agencies to drive. The ATC must also ensure that each driver has a valid license. An employee's driver's license must be issued by New York State ("NYS") 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 or she resides, and in all cases the license must have the appropriate classification for the vehicle which an employee will be driving on City business. The Handbook further specifies that City agencies must establish programs that promote driving safety along with proper training in the use of motor vehicles.

City agencies participating in the New York State Department of Motor Vehicles (“DMV”) License Event Notification System (“LENS”) program are separately required to monitor the driving behavior of their employees. Pursuant to the LENS program, each participating agency’s ATC will be notified of any event that affects the status of an agency driver’s license, such as expiration, the accumulation of points, an accident, and charges against an employee for driving while impaired or under the influence of alcohol or drugs. Monitoring such LENS notifications 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.<sup>1</sup> 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. When the Vision Zero Action Plan was released in 2014, it outlined 63 separate initiatives that the Mayor’s Office and a number of City agencies undertook to reduce death and serious injury on the streets and roadways of New York City. As of October 2017, the Vision Zero Task Force has added an additional 88 new initiatives (40 new initiatives were introduced in 2015, 22 were added in 2016, and 26 were added in 2017) for a total of 151 initiatives. With respect to City employees, the Plan implemented a City-wide defensive driving program and added safety-related equipment and devices to City vehicles.

## **Findings and Recommendations**

We found that DOI effectively monitors the driving behavior of its authorized drivers. The agency subscribes to the DMV’s LENS program, receives its updates, and in a timely manner revokes the privileges of drivers who have suspended or revoked licenses, as prescribed by the applicable regulations. Based on each driver’s driving history and driving abstract, DOI evaluates each driver and determines whether he or she should be allowed to drive a City vehicle. For those employees who did not maintain an appropriate license status, DOI has policies and procedures to take appropriate disciplinary action, which could include termination.<sup>2</sup> In addition, DOI takes steps to ensure that employees who do not live within New York State adhere to applicable state motor vehicle regulations, and the agency ensures that its licensed drivers have the appropriate license endorsements or classifications to drive their assigned vehicles. Moreover, DOI provides its employees with a required safety awareness program.

DOI should continue to monitor the driving behavior of its authorized drivers and promote driver awareness and public safety programs, as required.

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<sup>1</sup> Vision Zero Year Three Report, issued February 2017, reports on the progress of Vision Zero and the future plans. <http://www1.nyc.gov/assets/visionzero/downloads/pdf/vision-zero-year-3-report.pdf>

<sup>2</sup> During our scope, DOI did not have any employees who required disciplinary action.



## 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 from January 1, 2015, through November 17, 2017. Our audit reviewed all 385 authorized DOI drivers in our scope period.<sup>3</sup>

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 DOI monitors its drivers in accordance with the City’s Handbook, we obtained and reviewed the following: 1) a list of all DOI 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 DOI’s annual LENS report dated June 24, 2017, 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 May 1, 2017 through September 30, 2017; 4) weekly and monthly expiration, suspension and revocation notifications from May 1, 2017 through September 30, 2017; 5) documentation reflecting that the agency periodically checks the driver’s licenses and insurance coverage of all employees who use a personally-owned vehicle, when applicable; 6) documentation regarding disciplinary action (if necessary) for DMV notifications of changes in driver’s license status from January 1, 2015 through September 30, 2017; 7) documentation regarding inquiries of out-of-state license holders; 8) documentation regarding the various license training of authorized drivers; and 9) a copy of DOI’s policies and procedures concerning driving a City-owned or personally-owned vehicle on City business. In addition, we completed a review of DMV inquiries on November 17, 2017 regarding the driving status of all the DOI drivers.

To determine the accuracy of the database of authorized drivers received from DOI, we verified the number of drivers with those recorded on LENS.

To determine whether DOI offered driver’s safety programs in accordance with the Handbook’s requirements, we requested and reviewed documentation regarding its safety programs. We also reviewed the City’s Vision Zero Regulations to determine which DOI employees would need additional safety training. We reviewed the driving histories of DOI’s 385

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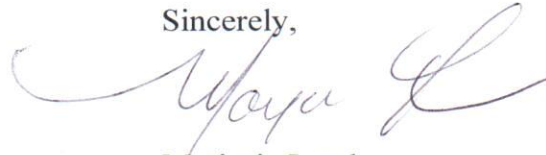
<sup>3</sup> DOI’s authorized driver’s report lists 385 drivers, of which 196 are DOI employees, and the remaining 189 are DOI’s Inspector Generals assigned to various City agencies (e.g., the Department of Buildings, Department of Correction, School Construction Authority and Housing Preservation and Development).

employees in accordance with the Plan, and we also accessed the DMV's Dial-In Inquiry to determine the driving status of those employees who resided outside of New York State. Finally, we performed licensed driver searches in states outside of New York State as needed for the driving records of those 12 employees who resided out of state.

The issues covered in this report were discussed with DOI officials during and at the conclusion of this audit. On November 29, 2017, we submitted a draft report providing DOI the opportunity to formally respond. DOI's response was received on December 1, 2017. In its written response, DOI agreed with the report's findings and stated, "The above audit revealed no recommendations and found that the Department of Investigation effectively monitors the driving behavior of its authorized drivers."

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

Sincerely,



Marjorie Landa

- c: Lesley Brovner, First Deputy Commissioner
- Ganesh Ramratan, Deputy Commissioner for Operations/CIO
- Sadie Boursiquot, Assistant Commissioner for Investigative Operations
- Ashley C. Emerole, Finance Director
- Caspar Barrow, Director, Fiscal Services
- Orane Gordon, Internal Auditor
- Laura Bowman, Director, Peace Officer Program
- Jacqueline Eppolito, Assistant Commissioner for Administration
- Emily Newman, Acting Director, Mayor's Office of Operations
- George Davis, III, Deputy Director, Mayor's Office of Operations





The City of New York  
Department of Investigation  
MARK G. PETERS  
COMMISSIONER

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December 1, 2017

**By Electronic Mail**

Marjorie Landa  
Deputy Comptroller  
Bureau of Audit  
The City of New York Office of the Comptroller  
1 Centre Street  
New York, New York 10007-2341

**Re: Draft Letter Audit Report on the Department of Investigation's Monitoring of Its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business (Audit Number SZ18-065AL)**

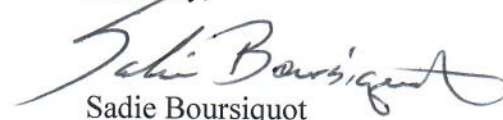
Dear Deputy Comptroller Landa,

I write in response to the "Draft Letter Audit Report on the Department of Investigation's Monitoring of Its Employees Who Drive City-Owned or Personally-Owned Vehicles on City Business", dated November 29, 2017.

The above audit revealed no recommendations and found that the Department of Investigation effectively monitors the driving behavior of its authorized drivers.

If you have any questions, please contact Sadie Boursiquot, Associate Commissioner for Investigative Operations, at (212) 825-3256.

Sincerely,

  
Sadie Boursiquot  
Associate Commissioner

cc: Ernestine M. Rivers-Merritt, Audit Manager