

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Department of Motor Vehicles

Effective Date of Plan: 10/17/2017

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PART 1 – INTRODUCTION

Pursuant to Executive Order No. 26 (“Statewide Language Access Policy”), we have prepared this Language Access Plan (“Plan”) that sets forth the actions we will take to ensure that Limited English proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

Statement of Agency Services to the Public:

The Department of Motor Vehicles (DMV) provides quality customer service, promotes traffic safety, protects consumers, verifies identities, issues secure documents, provides information services, protects the privacy of personal information, and collects revenues all for the benefit of the people of this State.

DMV issues licenses, non-driver identification cards, vehicle titles and vehicle registrations, conducts road tests, monitors driver training and performs enforcement activities. DMV conducts more than 20 million customer transactions annually.

DMV processes the following transactions in state operated issuing offices:

- Vehicle Registrations
- Boat Registrations
- Snowmobile Registrations
- Licenses
- Permits
- ID Cards
- Payments
- Financial Security (Insurance)
- License Sanctions
- Misc (Title Duplicates & Sales Tax Only)
- Cancellations
- Facial Image Capture Only (no document issued)
- Driver License Abstract

In developing this plan, we have understood LEP individuals to be persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. We will reassess language needs periodically as needed, but at least every two years starting from the effective date of this plan.

PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS

The estimated total number of individuals in our service area is: Approximately 19,795,791- the NYS population in 2015

The top six languages spoken by LEP individuals that our agency serves or could potentially serve are as follows:

Language	Estimated Number of LEP Individuals Who Speak this Language
Spanish	1,240,490
Chinese	350,976
Russian	130,296
Haitian Creole	68,509
Korean	61,833
Italian	58,200

Source: U.S. Census Bureau, 2010-2014 American Community Survey

We use the following resources to determine the top six languages spoken by LEP individuals:

- U.S. Census data (including American Community Survey data)
- Agency data on client contacts
- School system data
- Information from community organizations that serve LEP individuals

Names of organizations: [Click here to enter text.](#)

- Information from other government agencies

Names of agencies: [Click here to enter text.](#)

- Other (describe) [Click here to enter text.](#)

We have determined the frequency of our contacts with LEP individuals as follows:

We have identified our contacts with LEP individuals by analyzing the language assistance data provided by our phone interpreting vendor. DMV offers interpretation services in any language requested and not only the languages required by EO#26.

PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

We inform LEP individuals, in the languages indicated in the chart in Part 2 of this plan, about their right to free language assistance services by using the following measures:

- LEP individuals are informed directly by our staff

In what ways? For in-person customer contact, DMV provides an information sheet translated into the top six languages to help determine the reason for the individual’s visit to DMV. The Department displays a statewide poster where the customer will be able to point to their language to determine the language assistance needed, and we offer “I Speak” cards, which are two-sided bilingual cards with printed information about Language Access Rights, as well as a statement to request an interpreter.

- Brochures or flyers about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Signs posted about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Outreach and presentations at schools, faith-based groups, and other community organizations

What are the LEP populations targeted? Interpretation services are available at all cultural events that DMV participates in.

- Local, non-English language media directed at LEP individuals in their languages

- Telephonic voice menu providing information in non-English languages

In which languages: Spanish, Haitian Creole, Italian, Russian, Chinese, and Korean.

- Other (describe) The availability of Language Assistance is prominently displayed on DMV's website with instructions in the languages required by Executive Order #26.

PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *in person*:

- "I Speak" posters or visual aids
- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available
- Other (describe) DMV uses a simple transaction card (How Can I Help You?) translated into the six EO#26 languages to help determine the reason for the individual's visit to DMV. Once this is determined, the LEP individual is provided with any available applications and instructions in the requested language. DMV also displays signs that will enable a customer to point to the language they speak in the event language assistance is needed.

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *by telephone*:

- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available
- Telephonic interpreting service
- Other (describe)

We record and maintain documentation of each LEP individual's language assistance needs as follows:

While DMV does not currently document an LEP individual's language assistance needs, we use the data provided by the vendor to track the type of languages LEP individuals are requesting for interpretation services in the area we serve.

A. Oral Interpreting Services

Our protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:

For in-person encounters: DMV displays signs that allow customers to point to their language to determine language assistance needed, and provides “I Speak” cards, which are two-sided bilingual cards with printed information about Language Access Rights, as well as a statement to request an interpreter.

By telephone: When an LEP individual calls DMV, they will hear a translated recording offering free language assistance. Based on the language selected by the customer, the call is directed to a call agent who then initiates a three-way call with an interpreter.

At initial contact in the field: N/A

For pre-planned appointments with LEP individuals: LEP individuals will be provided an interpreter upon request at the time of their appointment.

Other (describe): [Click here to enter text.](#)

Our protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:

For in-person encounters: DMV provides an information sheet translated into the top six languages to help determine the reason for the LEP individual’s visit to DMV. The Department displays a statewide poster where the customer will be able to point to their language to determine the language assistance needed, and offers “I Speak” cards, which are two-sided bilingual cards with printed information about free Language Access services, as well as a statement to request an interpreter.

By telephone: When an LEP individual calls DMV, they will hear a translated recording offering free language assistance. Based on the language selected by the customer, the call is directed to a call agent who then initiates a three-way call with an interpreter.

At initial contact in the field: N/A

For pre-planned appointments with LEP individuals: LEP individuals will be provided an interpreter upon request at the time of their appointment.

Other (describe): [Click here to enter text.](#)

If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocol(s) for determining whether to accept or decline such an arrangement is as follows:

LEP individuals that come into contact with our agency are informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member friend or a minor as his or her interpreter. However, upon request and where circumstances necessitate, an LEP individual may be permitted to use a minor, a family member or friend as an interpreter for routine transactions.

Our protocol(s) for obtaining interpreter services in a timely manner is as follows:

After determining that an individual requires an interpreter, a staff person will contact our vendor in a prompt manner. Language access services are available in all state operated DMV offices and by phone during normal business hours.

We record and maintain documentation of oral interpreting services provided to LEP individuals at each encounter as follows:

DMV relies on data by the vendor for the interpretation services provided.

Competency and confidentiality

The linguistic and cultural competence of interpreters is addressed as follows:

Civil Service rules require that staff hired from a parenthesis title list are competent in the appropriate language. They are required to pass a proficiency test before being appointed to the position. DMV currently has 50 Spanish-speaking Motor Vehicle Representatives who are required to explain and interpret agency rules, regulations, policies and/or procedures to LEP individuals. DMV has also established language parenthesis in the entry level Motor Vehicle Representative (MVR), Grade 9, title throughout New York City's five boroughs. These additional parenthesis include: Russian, Chinese, Haitian/Creole, Italian, Korean and Manual Communication. Candidates eligible for appointment to one of the MVR positions with a language parenthesis will be required to pass a language proficiency test. Approximately 50% of DMV's workforce is serving in the MVR title.

Where DMV utilizes vendor interpreting services, that vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

The issue of confidentiality pertaining to the use of interpreters is addressed as follows:

DMV will continue to maintain the current level of confidentiality. In order to maintain confidentiality in the state operated issuing offices, only one individual is called to a work station at a time. The training provided to staff addresses the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

Maintaining a list of oral interpreting resources

We use, or have available for oral interpreting, the following resources:

- Bilingual staff members who work directly with LEP individuals

Number of staff and languages spoken: There are a total of 50 Spanish-speaking Motor Vehicle Representatives. The number of bilingual staff that work directly with LEP individuals varies from office to office.

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken: [Click here to enter text.](#)

- Telephonic interpreting service

Names of vendors: Any vendor under NYS Office of General Services (OGS) Statewide Administrative Services Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages: [Click here to enter text.](#)

- Other (describe) [Click here to enter text.](#)

The agency's Language Access Coordinator maintains the list of oral interpreting resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedure for accessing each interpreter or service

We inform all staff members who have contact with the public how to obtain oral interpreting services as follows:

DMV staff is trained on how to obtain oral interpreting services, maintain confidentiality and cultural sensitivity as part of the new employee and annual refresher training.

B. Translations of Written Documents

The process to determine and reassess, at least every two years starting from the effective date of this plan, those vital documents (including website content) which must be translated is as follows:

The Language Access Working Group will identify and reassess the list of vital documents every two years based upon print volumes, transaction volumes, usage, and the purpose of the form.

The process to timely translate documents that LEP individuals submit in their primary languages is as follows:

DMV will continue to only accept applications and forms completed in English. Instructions are provided in Spanish, Haitian Creole, Italian, Russian, Chinese and Korean and DMV will provide an interpreter where necessary to translate the instructions.

DMV reviews correspondence and timely sends it out for translation when needed.

The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:

DMV staff has been trained to utilize Plain English Software prior to submitting a document to the vendor for translation.

The following documents are currently translated by the agency in the languages indicated:

Form #	Name	Top Six Languages						Additional Languages
		Spanish	Chinese	Russian	Haitian Creole	Korean	Italian	
CDL-10	NYS Commercial Driver's Manual	✓	✓ (Only intro)					
ID-44EDL	Enhanced Driver License, Proofs of Identity, U.S. Citizenship and NYS Residence	✓	✓	✓	✓	✓	✓	
ID-82	Proofs of Identity for Registration and Title	✓	✓	✓	✓	✓	✓	
MV-15C	Request for Driving Record Information	✓	✓	✓	✓	✓	✓	
MV-44	Application for Driver License or Non-Driver ID Card	✓	✓	✓	✓	✓	✓	Bengali
MV-44CR	Restricted Use or Conditional Driver License Application	✓	✓	✓	✓	✓	✓	
MV-44EDL	Application for Enhanced Driver License or Non-Driver ID Card	✓	✓	✓	✓	✓	✓	
MV-44.1	How to Apply for a New York Learner Permit,	✓	✓	✓	✓	✓	✓	Bengali

	Driver License or Non-Driver ID Card							
MV-44.1EDL	How to Apply for a New York Enhanced Learner Permit, Driver License, or Non-Driver ID card	✓	✓	✓	✓	✓	✓	
MV-45	Statement of Identity and/or Residence by Parent/Guardian	✓	✓	✓	✓	✓	✓	
MV-82	Vehicle Registration/Title Application	✓	✓	✓	✓	✓	✓	
MV-82B	Boat Registration/Title Application	✓	✓	✓	✓	✓	✓	
MV-82ITP	In-Transit Permit/Title Application	✓	✓	✓	✓	✓	✓	
MV-82.1	Registering/Titling a Vehicle in NYS - Instructions)	✓	✓	✓	✓	✓	✓	
MV-232	Are You Moving?	✓	✓	✓	✓	✓	✓	Bengali
MV-262	Certification of Supervised Driving	✓	✓	✓	✓	✓	✓	
MV-500H	Important Information About Learner's Permits	✓	✓	✓	✓	✓	✓	

MV-664.1	Application for License Plates or Parking Permits for People with Severe Disabilities	✓	✓	✓	✓	✓	✓	
MV-902	Application for Duplicate Title	✓	✓	✓	✓	✓	✓	
PA-7	Complaint Form- Access to services in specific language	✓	✓	✓	✓	✓	✓	
PE-701	Information- Reasonable Accommodation)	✓	✓	✓	✓	✓	✓	
RT-3	Scheduling Your Road Test by Phone or Internet	✓	✓	✓	✓	✓	✓	
FS-498	Penalties for Driving Without Liability Insurance	✓						
MV-14S	Tow Truck Manual	✓						
MV-21MCS	NYS Motorcycle Operator Manual)	✓						
MV-21S	New York State Driver's Manual	✓						
MV-44NYRS	Certification of Residence	✓						
MV-44.5S	Fed Requirements for CDL	✓						

MV-82.1BS	Registering/Titling a Boat in New York State	✓						
MV-2000S	Driver License/Permit Knowledge Test [Spanish]	✓						
MV-2000.1	Driver License/Permit Knowledge Test [Albanian]							Albanian
MV-2000.2	Driver License/Permit Knowledge Test [Arabic]							Arabic
MV-2000.3	Driver License/Permit Knowledge Test [Bosnian]							Bosnian
MV-2000.4	Driver License/Permit Knowledge Test [Chinese]		✓					
MV-2000.5	Driver License/Permit Knowledge Test [French]							French
MV-2000.6	Driver License/Permit Knowledge Test [Japanese]							Japanese
MV-2000.7	Driver License/Permit Knowledge Test [Korean]					✓		

MV-2000.8	Driver License/Permit Knowledge Test [Polish]							Polish
MV-2000.9	Driver License/Permit Knowledge Test [Russian]			✓				
MV-2000.10	Driver License/Permit Knowledge Test [Hebrew]							Hebrew
MV-2000.11	Driver License/Permit Knowledge Test [Greek]							Greek
MV-2000.12	Driver License/Permit Knowledge Test [Italian]						✓	
MV-2000BS	Motorcycle License Written Exam [Spanish]	✓						
MV-2000TS	Tow Truck Driver's Test [Spanish]	✓						

Any additional documents determined to be vital during the course of this plan will be timely translated.

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

DMV, through its vendor (where applicable), will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided. Vendor deficiencies are reported to the DMV's LAC. DMV will report any deficiencies of the vendor, to the Statewide Language Access Coordinator and to the Office of General Services.

We use, or have available for translating, the following resources:

- Contracts with language service vendors

Names of vendors: Any vendor under the OGS Statewide Administrative Services Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages: [Click here to enter text.](#)

- Oral translations of written documents by bilingual staff members

- Oral translations of written documents by other individuals or community organizations

- Other (describe) [Click here to enter text.](#)

The agency's Language Access Coordinator maintains the list of written translation resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to provide oral translations of written documents
- Languages in which each translation service is qualified
- Procedure for accessing each translation service

PART 5 – STAFF TRAINING

The person(s) in the agency who is responsible for the provision of training to staff in language access issues is: Sophia Hilton.

The staff training includes the following components:

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- Cultural competence and cultural sensitivity

- Documenting the language needs of LEP individuals and the language services provided to them by the agency

- How to obtain written translation services

The methods and frequency of training are as follows:

DMV front-line staff and their managers and supervisors receive mandatory language access training annually, which includes all the components listed above. Newly hired staff members are given the language access training soon after hire. Refresher courses are provided as needed.

PART 6 – ADMINISTRATION

Monitoring

To ensure compliance with the Plan, the LAC will monitor its implementation as follows:

- Annual monitoring of agency activities to ensure compliance with Executive Order No. 26;
- Convene the Language Access Working Group, which includes the Language Access Coordinator, a staff member from Operations Management, Fiscal and Legal offices to ensure agency compliance with Executive Order No. 26;
- Review training plans and receive regular updates to ensure all staff has received the appropriate training;
- Monitor and review translated vital documents; and
- Maintain a list of bilingual staff and contact information by periodically sending out call letters seeking new volunteer translators.

Complaints

We provide information to the public in at least the top six languages, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information we provide describes how and/or where to file a complaint. We do not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.

We display information on the right to file a complaint, and the procedures to file a complaint, in the following manner:

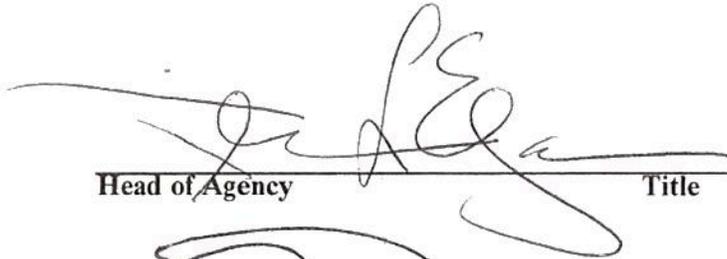
DMV posts signs in state operated issuing offices advising LEP individuals of their right to file a complaint and the process to do so in the top six languages. The standard complaint form is available to the public upon request in the top six languages identified in Part 2 and through our website.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

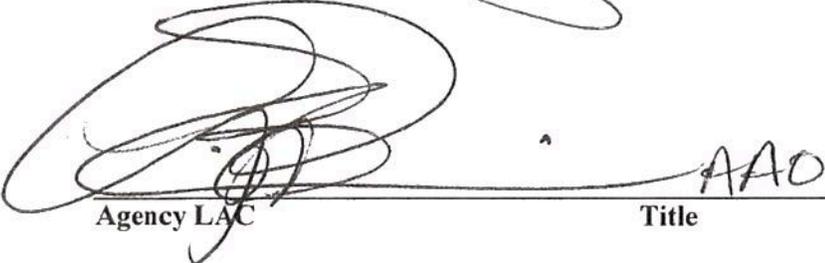
The Language Access Coordinator will convene a Language Access Review Board to review all discrimination complaints and determine appropriate actions and training opportunities.

Complaints can be submitted through DMV office staff or via the complaint form posted on our website. Complaints are researched and resolved by the agency's Language Access Coordinator. All complaints will be timely forwarded to the Statewide Language Access Coordinator.

PART 7 – SIGNATURES



Head of Agency Title Date 10/16/17



Agency LAC Title AAO Date 10/16/17



Deputy Secretary for Civil Rights Date 10/17/17