

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Department of Motor Vehicles

Effective Date of Plan: 5/30/2019

Language Access Coordinator (LAC): Emily LoBello

LAC Phone / E-mail: (518) 402-4696 / emily.lobello@dmv.ny.gov

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 19,798,228– the NYS population in 2017.

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	1,249,541
Chinese	386,290
Russian	122,150
Haitian Creole	63,615
Bengali	62,219
Korean	60,405

Source: U.S. Census Bureau, 2013-2017 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)
- 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 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.

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 also 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

What are the LEP populations targeted? Interpretation services are available at all cultural and public 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 DMV uses a simple transaction card (How Can I Help You?) translated into the top six 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

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):

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):

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:

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

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 parenthetic 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 64 Spanish-speaking Motor Vehicle Representatives, 5 Spanish-speaking Investigative Specialists, 1 Russian-speaking Investigative Specialist, and 2 Spanish-speaking Auto Facilities Inspectors who are required to explain and interpret agency rules, regulations, policies and/or procedures to LEP individuals. DMV has also established language parentheticals and has begun proficiency testing in Russian, Chinese, Haitian Creole, Italian, Korean and Manual Communication (Sign Language).

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 also 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 64 Spanish-speaking Motor Vehicle Representatives, 5 Spanish-speaking Investigative Specialists, 1 Russian-speaking Investigative Specialist, and 2 Spanish-speaking Auto Facilities Inspectors. 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:

- 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:

- Other

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. Most recently, DMV has translated the *New York Commercial Driver's Manual (CDL-10)*, *How to Apply for A New York: Learner Permit, Driver License, Non-Driver ID Card* form (ID-44) and the *Application for Permit, Driver License or Non-Driver ID Card (MV-44)* into all top six languages and Italian.

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, Bengali, 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 table contains a non-exhaustive list of translated documents by the agency in the languages indicated:

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

MV-44.1	How to Apply for a First Time New York Learner Permit, Driver License, Non-Driver ID Card	✓	✓	✓	✓	✓	✓	Italian, Nepali
MV-45	Vehicle Registration/Title Application	✓	✓	✓	✓	✓	✓	
MV-82	Boat Registration/Title Application	✓	✓	✓	✓	✓	✓	Italian
MV-82B	In-Transit Permit/Title Application	✓	✓	✓	✓	✓	✓	Italian
MV-82ITP	Registering/Titling a Vehicle in NYS - Instructions)	✓	✓	✓	✓	✓	✓	Italian
MV-82.1	Are You Moving?	✓	✓	✓	✓	✓	✓	Italian
MV-232	Certification of Supervised Driving	✓	✓	✓	✓	✓	✓	Italian
MV-262	Important Information About Learner's Permits	✓	✓	✓	✓	✓	✓	Italian
MV-500H	Application for License Plates or Parking Permits for People with Severe Disabilities	✓	✓	✓	✓	✓	✓	Italian
MV-664.1	Application for Duplicate Title	✓	✓	✓	✓	✓	✓	Italian

MV-902	How Can I Help You? (Point the reason you are at DMV)	✓	✓	✓	✓	✓	✓	Italian
PA-6	Complaint Form- Access to services in specific language	✓	✓	✓	✓	✓	✓	
PA-7	Information- Reasonable Accommodation)	✓	✓	✓	✓	✓	✓	Italian
PE-701	Scheduling Your Road Test by Phone or Internet	✓	✓	✓	✓	✓	✓	Italian
RT-3	Penalties for Driving Without Liability Insurance	✓	✓	✓	✓	✓	✓	Italian
FS-498	Tow Truck Manual	✓						Italian
MV-14S	NYS Motorcycle Operator Manual)	✓						
MV-21MCS	New York State Driver's Manual	✓						
MV-21S	Certification of Residence	✓						
MV-44NYRS	Fed Requirements for CDL	✓						
MV-44.5S	Registering/Titling a Boat in New York State	✓						
MV-82.1BS	Driver License/Permit	✓						

	Knowledge Test [Spanish]							
MV-2000S	Driver License/Permit Knowledge Test [Albanian]	✓						
MV-2000.1	Driver License/Permit Knowledge Test [Arabic]							
MV-2000.2	Driver License/Permit Knowledge Test [Bosnian]							Albanian
MV-2000.3	Driver License/Permit Knowledge Test [Chinese]							Arabic
MV-2000.4	Driver License/Permit Knowledge Test [French]		✓					Bosnian
MV-2000.5	Driver License/Permit Knowledge Test [Japanese]							
MV-2000.6	Driver License/Permit Knowledge Test [Korean]							French
MV-2000.7	Driver License/Permit Knowledge Test [Polish]					✓		Japanese

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

Any 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:

- Oral translations of written documents by bilingual staff members
- Oral translations of written documents by other individuals or community organizations
- Other

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, Director of Statewide Training.

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 from the Governor's Office of Employee Relations, 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.

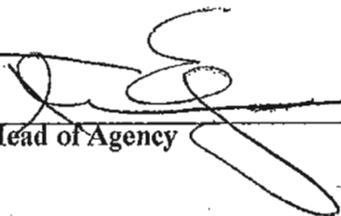
We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

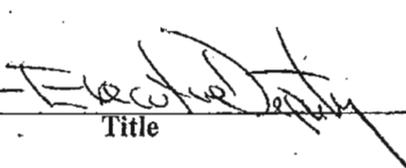
The Language Access Coordinator will convene a Language Access Review Board to review all discrimination complaints and determine appropriate actions and training opportunities.

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.

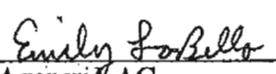
All complaints will be timely forwarded to the Statewide Language Access Coordinator.

PART 7 – SIGNATURES


Head of Agency

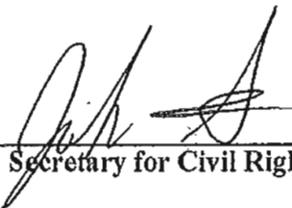

Title

5/8/19
Date


Agency LAC

Empire Fellow
Title

5/8/19
Date


Deputy Secretary for Civil Rights

5/30/19
Date