

19-A Carrier Record Reviews

February 2021

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General Information

- ▶ How frequently? At least once every three years
- ▶ In-person or online? Everything is done online using email to communicate each phase of the review
- ▶ How many phases? Three phases
 - ▶ Roster
 - ▶ Online driver questionnaire(s)
 - ▶ Document request and review
- ▶ Duration? 30 days (10 days for each phase)
- ▶ Email address? All review emails come from dmv.sm.19acompliance@dmv.ny.gov or 19acompliance@dmv.ny.gov

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Phase 1: Roster

From: dmv.sm.19ACompliance
Sent: Friday, February 12, 2021 8:45 AM
To: 21- [redacted]
Subject: NYS DMV - Article 19-A Review Notification Response is Due in 10 days CRM:0104715
Attachments: C107 19ACompFlyerOriginal 020221.pdf

This first email goes out to the email address on file in the 19-A system.

Dear Article 19-A Motor Carrier: [redacted] Business ID: 21-[redacted]

Your business ID is the 5 digits after the "-". The "21-" indicates the review year.

Article 19-A of the Vehicle and Traffic law requires that all persons and companies engaged in the transportation of passengers in New York State maintain employment records for each driver they employ. All records with respect to original employment of a bus driver must be maintained in that bus driver's file and these files are subject to inspection by the Department of Motor Vehicles. At least every three years, the Department is required to review the bus driver files for each carrier.

The first step in this process is to submit your driver roster. Please reply to this email. The roster is due to the DMV within 10 calendar days from the date of this email.

Once we receive the roster, we will review it with the Bus Driver Unit to reconcile it. Approximately one week after receiving the roster, you will be contacted via email and asked to review the files of certain drivers. For each driver selected, you will need to complete a web form and submit that to the Department.

Only active drivers are required on the roster.

If you have any questions regarding this process, you can visit one of our websites at:
 19-A Motor Carrier Guide: dmv.ny.gov/forms/cd115.pdf
 DMV Website for Motor Carriers: dmv.ny.gov/motor-carriers/information-and-forms-article-19

Email us at:
 EMAIL Compliance Unit for 19-A File Reviews: dmv.sm.19ACompliance@dmv.ny.gov
 EMAIL Bus Driver Unit for 19-A Guidance: dmv.sm.busdriverunit@dmv.ny.gov

Regards,

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Phase 2: Driver Questionnaire

From: dmv.sm.19ACompliance
Sent: Friday, February 12, 2021 4:09 PM
To: 21- [redacted]
Subject: NYS DMV REQUEST - Complete a Web Form for Attached Driver(s) in 10 days CRM:0076856
Attachments: 21-[redacted].docx

The driver sample is attached as a MS Word document

Dear Article 19-A Motor Carrier: [redacted] Business ID: 21-[redacted]

Thank you for submitting your driver roster. The second phase of the process requires that you review the employment folders for the following drivers: (attached List of drivers to be reviewed).

Please go to (dmv.ny.gov/article-19a-driver-information) or the following link: <https://dmv.ny.gov/19a-driver-information> to complete a single driver questionnaire for each driver listed.

Thank you in advance for completing the questionnaires and providing accurate information. 19-A Compliance Unit will review the provided submissions and contact you if additional information is required. Please complete the questionnaires within 10 days from the date of this email.

You will be receiving an email in about two weeks that explains the requirements for the final steps of this process. We are currently working remotely with limited access to our phones/voicemail. If you have any questions, please send us an email at 19acompliance@dmv.ny.gov

Regards,

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Phase 2: Driver Questionnaire

21-11111 Driver Sample

1. DAVIS, VIOLA
2. HANKS, TOM
3. LAWRENCE, JENNIFER
4. PITT, BRAD
5. STREEP, MERYL

This carrier has 20 drivers on their roster, so the driver sample is 5 drivers. 5 driver questionnaires will need to be completed, 1 for each driver.

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Phase 2: Driver Questionnaire

Driver Information

Please complete the following Driver Information Form for an Article 19-A review of your driver.

Carrier's Business ID: *

Driver Name: *

The driver name should be the same name as listed on the driver's license (LAST name, FIRST name (Example: Smith, John))

Client ID: *

The Client ID field should be only numbers. (No letters, spaces or hyphens.)

The "21-" is already filled in for you.

PROVIDE THE FOLLOWING DATES

Hire: *

Termination:

Rehire:

Last Three Years Abstracts of Operating Record:

The hire date is the date the driver is added to your 19-A roster.

ACKNOWLEDGEMENT & ATTESTATION

By clicking the box marked "I AGREE" I am certifying that the information provided above is accurate and complete.

I AGREE

Name: *

Title: *

Email: *

The email address entered here will be the email address that receives the driver document request email.

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Phase 3: Driver Document Request

From: dmv.sm.19ACompliance
Sent: Thursday, February 11, 2021 2:39 PM
To: [REDACTED]
Subject: NYS DMV REQUESTS - Driver File Documentation is Due within 10 days 21-[REDACTED] CRM:0104699

Dear Article 19-A Motor Carrier: Business ID: 21-[REDACTED],

Thank you [REDACTED] for submitting your driver questionnaire. The final phase of this process involves physical document authentication. We take this step to ensure that the documents noted on the questionnaire are accessible in your driver file. You have 10 days from the date of this email to complete this phase of your compliance review.

Please scan and reply to this email the documents below from the following bus driver file:

Driver Name: [REDACTED] Client ID: [REDACTED]

1. Last two (2) Biennial Written or Oral Test Score Sheet (DS-875Y)
2. Last two (2) Biennial Driving Road Test (DS-875)
3. Last two (2) Medical Exams (DS-874) and Any Medical Follow-up(s) if required. (All pages of medical exams are required. The driver will be disqualified if only medical certificates are received.)
4. Last three (3) years Defensive Driving Observations (DS-873)

DS-875Y is the score sheet, not the entire exam.

We require all pages of the medical exams, not just medical certificates.

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Phase 3: Driver Document Request

From: dmv.sm.19ACompliance
Sent: Wednesday, February 17, 2021 2:40 PM
To: [REDACTED]
Cc: dmv.sm.19ACompliance
Subject: NYS DMV REQUESTS - Driver File Documentation is Due within 10 days 21-[REDACTED] CRM:0104536

Dear Article 19-A Motor Carrier: Business ID: 21-[REDACTED]

Thank you [REDACTED] for submitting your driver questionnaire. The final phase of this process involves physical document authentication. We take this step to ensure the documents noted on the questionnaire are accurate and accessible in your driver file. You have 10 days from the date of this email to complete this phase of your compliance review.

Please scan and reply to this email the documents below from the following bus driver file:

Driver Name: [REDACTED] Client ID: [REDACTED]

1. Article 19-A Bus Driver Application (DS-870)
2. All Medical Exams (including pre-hire) (DS-874) and all Medical Follow-up(s), if required. (All pages of medical exams are required. The driver will be disqualified if only medical certificates are received.)
3. All Abstracts of Operating Record
4. Biennial Behind the Wheel Road Test (DS-875)

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Phase 3: Driver Document Request

From: dmv.sm.19ACompliance
Sent: Wednesday, February 17, 2021 2:21 PM
To: [REDACTED]
Cc: dmv.sm.19ACompliance
Subject: NYS DMV REQUEST of ADDITIONAL DRIVER DOCUMENTS CRM:0104496

Dear Article 19-A Motor Carrier: BusinessID: 21-[REDACTED]

Thank you for submitting some of the requested driver documents, however we have not yet received all of the requested documents. Below is the list of the missing documents.

- please send in 3/2020 diabetic follow up

Please scan and reply to this email or eFax the documents above from the following driver file:

Driver Name: [REDACTED] Client ID: [REDACTED]

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Noncompliant Drivers

From: dmv.sm.19ACompliance
Sent: Friday, January 29, 2021 4:17 PM
To: [REDACTED]
Cc: dmv.sm.19ACompliance
Subject: NYS DMV NOTICE: Article 19-A Non-compliance; Client ID [REDACTED] CRM:0104198

REPORT OF NONCOMPLIANCE:

Dear Article 19-A Carrier/Contact: [REDACTED] Business ID: 21-[REDACTED]

The following details the results of our driver document review:

Driver Name: [REDACTED] Client ID: [REDACTED]

Specific Violations Noted: did not receive 6/2020 diabetic follow up or all pages of 2020 medical

1. Oral/Written (DS-875Y): Compliant
2. Behind the Wheel Road Test (DS-875): Compliant
3. Medical (DS-874): DISQUALIFIED Violations of VTL § 509-g(1) & CR § 6.10(b)(2) Failed to obtain a 6 month medical follow up for diabetes.
4. Defensive Driving (DS-873): Compliant

If any of the above violations indicates DISQUALIFIED, the Carrier must prohibit the driver from transporting passengers until the noted violation has been corrected and the driver reinstated. The Carrier must contact us, provide proof of correction and effect the reinstatement of the driver before the driver is allowed to resume transporting passengers. Violations not requiring summary disqualification must be immediately corrected in order for the carrier to achieve overall compliance.

Your driver file review may result in sanctions, possible civil penalties and/or disqualification of your driver.

If you have any questions regarding this process, you can visit one of our websites at:
19-A Motor Carrier Guide: dmv.ny.gov/forms/cdl15.pdf
DMV Website for Motor Carriers: dmv.ny.gov/motor-carriers/information-and-forms-article-19

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Carrier Review Results

From: dmvs.sm.19ACompliance
Sent: Friday, February 12, 2021 10:37 AM
To: 21-
Cc: dmvs.sm.19ACompliance
Subject: NYS DMV REVIEW COMPLETE: Article 19-A Violations Found 21- CRM:0076853

REPORT OF VIOLATIONS FOUND:

Dear Article 19-A Motor Carrier: Business ID: 21-

Your Article 19-A record review is now complete and certain violations of Article 19-A of the New York State Vehicle and Traffic Law and Part 6 of the Commissioner's Regulations were found. The violations include, but are not limited to:

- 19A System Driver Roster - Receive Date: 12/23/2020, Status: Compliant
- Your driver roster was found to be compliant.

Phase 1

- Driver Questionnaires - Compliant
- Your driver questionnaires were found to be compliant.

Phase 2

- Driver Document Review - Non-Compliant
- 509-d(3) & 6.19(a) failed to conduct in the required timely manner or failed to make its Article 19-A records available for inspection when requested.
- did not receive diabetic follow ups due on or before 10/4/2019, 4/4/2020 and 10/4/2020 but did receive one dated 1/29/2021

Phase 3

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Carrier Review Results

From: dmvs.sm.19ACompliance
Sent: Thursday, February 11, 2021 3:47 PM
To: 21-
Cc: dmvs.sm.BusDriverUnit
Subject: NYS DMV REVIEW COMPLETE Article 19-A COMPLIANCE CRM:0076848

REPORT OF COMPLIANCE:

Dear Article 19-A Motor Carrier: Business ID: 21-

We have completed our Article 19-A review and find you to be in COMPLIANCE.

Thank you for your cooperation.

Regards,

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