

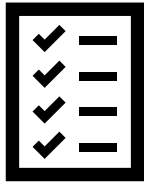
## LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

**State Agency:** New York State Department of Motor Vehicles

**Effective Date of Plan:** October 1, 2022

**Language Access Coordinator:** Emily LoBello






**LAC Phone / E-mail:** (518) 402-4696 / Emily.LoBello@dmv.ny.gov



This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

	The Limited English Proficient (“LEP”) population in our service area.
	How we notify the public about language access services.
	Our resources and methods for providing language access services.
	How we train our staff to provide language access services to the public.
	How we monitor language access services and respond to complaints.

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## PART 1 – Our Agency’s Services



We prepared this Language Access Plan (“Plan”) to comply with New York State Executive Law Section 202-a, which establishes New York’s Statewide Language Access Policy. This Plan explains how we make sure that Limited English Proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

In this Plan, LEP individuals are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

### Our agency’s services to the public include:

The New York State 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

## PART 2 – The Limited English Proficient Population in Our Service Area



The Statewide Language Access Policy requires state agencies to translate vital agency documents into the top 12 most commonly spoken non-English language among limited English proficient New Yorkers. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by LEP individuals in New York State.

The top 12 languages spoken by LEP individuals in New York State are:

#	Language	Estimated Number of LEP Speakers
1	Spanish	1,166,777
2	Chinese	375,924
3	Russian	119,160
4	Yiddish	71,740
5	Bengali	66,980
6	Haitian Creole	53,335
7	Korean	51,285
8	Italian	44,128
9	Arabic	41,632
10	Polish	33,125
11	French	30,770
12	Urdu	28,827

New York’s language access law also provides agencies, in consultation with the Office of Language Access, the option to add up to four more languages of translation beyond the top 12. The assessment about whether to include additional languages must be based on factors that are identified in the language access law. Our agency, in consultation with the Office of Language Access, has made the following determination with regard to the addition of languages beyond the top 12:

DMV’s assessment as to the necessity of additional languages of translation beyond the top 12 remains ongoing at this time. DMV, in consultation with the Office of Language Access, will update this Plan when this assessment has been completed and a final determination reached. DMV will continue to reassess the need for additional languages of translation on an ongoing basis.

### Our agency tracks encounters with LEP individuals in the following ways:

We identify our contacts with LEP individuals by analyzing the language assistance data provided by our phone interpreting vendor. The data is compiled and reviewed quarterly to identify trends in language assistance needs.



## PART 3 – Public Outreach About the Availability of Language Access Services

**Our agency informs LEP individuals about their right to free language assistance services in the following ways, using at least the top 12 languages shown in Part 2 of this Plan:**

- LEP individuals are directly informed by our staff

**In which ways?** For in-person customer contact, DMV provides an information sheet translated into the top twelve 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 multilingual cards with printed information about Language Access Rights, as well as a statement to request an interpreter.

- Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

- Information is published on our agency’s website in at least the top 12 languages spoken by LEP individuals in New York State

- 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 and public events that DMV participates in.

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

**What are the LEP populations targeted?**

- Social media posts directed at LEP individuals in their languages

**What are the LEP populations targeted?**

- Telephonic voice menu providing information in non-English languages

**In which languages?** Spanish, Chinese, Russian, Yiddish, Bengali, Korean, Haitian Creole, Italian, Arabic, Polish, French, Urdu

- Other (describe)



## PART 4 – Provision of Language Access Services

### A. Determining the Need for Services

**During *in person* encounters, our agency uses the following tools to determine whether an individual is LEP, and what their primary language is:**

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying LEP individual’s language
- Other (describe) DMV uses a simple transaction card (How Can I Help You?) translated into the top 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.

**On *telephone calls*, our agency uses the following tools to find out if an individual is LEP, and what their primary language is:**

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying an LEP individual’s language
- Telephonic interpreting service
- Other (describe)

**Our agency’s protocols for assessing whether an individual needs *oral interpreting* services in different service situations is as follows:**

**During office 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 multilingual cards with printed information about Language Access Rights, as well as a statement to request an interpreter.

**At initial contact in the field:**

**When speaking on the 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.

**For pre-planned appointments with LEP individuals:** LEP individuals will be provided an interpreter upon request at the time of their appointment. Staff members are trained to assess, inform, and document communication needs for individuals. Upon awareness of the need, language assistance services are offered to the individual and the appropriate DMV staff are notified of the interpretation need.

**Other (describe):**

**Our agency records and maintains 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.

### **B. Oral Interpreting Services**

**Our agency has made the following resources available for oral interpreting requests:**

Bilingual staff members who work directly with LEP individuals

**Number of staff and languages spoken:** There are a total of 55 Spanish-speaking Motor Vehicle Representatives, 1 Russian-speaking Motor Vehicle Representative, 1 Chinese-speaking Motor Vehicle Representative, 11 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 services on a volunteer basis

**Number of staff and languages spoken:**

Telephonic interpreting service

**Vendors:** Vendor(s) under the NYS Office of General Services (OGS) Statewide Administrative Services Contract

Contracts or other arrangements with school and community organizations

**Number of staff and languages spoken:**

Other (Describe)

**Our agency protocols for informing LEP individuals that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:**

**During office 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 multilingual cards with printed information about Language Access Rights, as well as a statement to request an interpreter.

**At initial contact in the field:**

**When speaking on the 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.

**For pre-planned appointments with LEP individuals:** LEP individuals will be provided an interpreter upon request at the time of their appointment. Upon making the request for an appointment, the LEP individual is informed of the availability of our free language assistance services by staff.

**Other (describe):**

**Our agency’s protocols for obtaining interpreting 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.

**If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocols for deciding whether to accept or decline such an arrangement is as follows:**

LEP individuals that come into contact with the Department will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, **during emergencies** an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the Department’s office, and an individual is permitted to use an interpreter of their choosing, they must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the Department, the Department will provide an independent interpreter at all times. An LEP individual will not be permitted to



use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

**Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:**

DMV staff is trained on how to obtain oral interpreting services and to maintain confidentiality and cultural sensitivity during these interactions as part of the new employee training. Mandatory language access training also takes place annually, using the training developed by the Office of Employee Relations.

**The agency’s Language Access Coordinator (“LAC”) maintains a list of oral interpreting resources that are available to staff. This resource list 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 an LEP individual’s primary language
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

**Our agency records and maintains documentation of oral interpreting services provided to LEP individuals at each encounter. Our protocol in this regard is as follows:**

DMV’s call center maintains reports on the calls received on each language, and district offices track encounters by logging language assistance calls.

### **Cultural Competence and Confidentiality**

**Our agency makes sure interpreters are culturally competent<sup>1</sup> in the following ways:**

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.

**Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:**

In order to maintain confidentiality in the state operated issuing offices, only one individual is called to a workstation at a time. The training provided to staff also addresses the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in

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<sup>1</sup> Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from:  
[https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring\\_Cultural\\_Competence\\_in\\_Health\\_Care-1999.pdf](https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf)

accordance with NYS Law.

### **C. Translations of Documents**

**At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents<sup>2</sup> that must be translated. This process is accomplished in the following ways:**

DMV 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.

**Our agency’s process for making sure documents are written in plain language<sup>3</sup> 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.

**Our agency has the following resources available for translation of documents:**

Contracts with vendors for translation services

**Vendors:** Any vendor under the OGS Statewide Administrative Services Contract.

Contracts or other arrangements with schools and community organizations

**Names of schools/organizations:**

Translation of documents by bilingual staff members

Other (describe)

**The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:**

Names and contact information for all resources

Names and locations of staff members who are available to provide translations of documents

Languages in which each translation service is qualified

Procedures for accessing each translation service

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<sup>2</sup> Vital Documents is defined as any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.

<sup>3</sup> The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>

**Our agency translates documents that LEP individuals submit in their primary languages in a timely manner. Our protocol in this regard is as follows:**

Documents and correspondence received from an LEP individual are translated by the contracted vendor where necessary.

**The following non-exhaustive list of documents are currently translated or in the process of translation by our agency in the languages indicated. Documents with an asterisk (\*) are determined by the agency to be vital documents.**

- AR: Arabic
- BE: Bengali
- CH: Chinese
- FR: French
- HA: Haitian-Creole
- IT: Italian
- KO: Korean
- PO: Polish
- RU: Russian
- SP: Spanish
- UR: Urdu
- YI: Yiddish

Form #	Name	Top 12 Languages												Additional Languages
		AR	BE	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	
ID-82*	Proofs of Identity for Registration and Title	X	X	X	X	X	X	X	X	X	X	X	X	
MV-82*	Vehicle Registration/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	
MV-82.1*	Register/Title a Vehicle in New York State	X	X	X	X	X	X	X	X	X	X	X	X	
MV-82B*	Boat Registration/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	
MV-82.1B*	Registering/Titling a Boat in New York State	X	X	X	X	X	X	X	X	X	X	X	X	
MV-82ITP*	In-Transit Permit/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	



MV-664.1*	How to Apply for a Parking Permit or License Plates for Persons with Severe Disabilities	X	X	X	X	X	X	X	X	X	X	X	X	
MV-902*	Application for Duplicate Title	X	X	X	X	X	X	X	X	X	X	X	X	
PA-6*	How Can I Help You Packet?	X	X	X	X	X	X	X	X	X	X	X	X	
PA-7*	Language Access Complaint Form	X	X	X	X	X	X	X	X	X	X	X	X	
PA-10*	Waiver of Rights to Free Interpretation Services	X	X	X	X	X	X	X	X	X	X	X	X	
PA-11*	New York State Notice of Important Document	X	X	X	X	X	X	X	X	X	X	X	X	
PE-701*	Reasonable Accommodation in State Programs and Services	X	X	X	X	X	X	X	X	X	X	X	X	
AA-53.2	Statement in Place of Personal Appearance and Instructions	X	X	X	X	X	X	X	X	X	X	X	X	
AA-FDR	Financial Disclosure Report for Payment Plans	X	X	X	X	X	X	X	X	X	X	X	X	
ID-44*	How to Apply for a New York (Learner Permit, Driver License, Non-Driver ID Card)	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-15C*	Request for Driving Record Information	X	X	X	X	X	X	X	X	X	X	X	X	

MV-232*	Address Change	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-262*	Certification of Supervised Driving	X	X	X	X	X	X	X	X	X	X	X	X	
MV-263*	Online Permit Test Permit/Guardian Certification	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-264*	Online Permit Test Attestation for Applicants 18 Years and Older	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-44.5	Federal Requirements for Commercial Driver License (CDL) Applicants	X	X	X	X	X	X	X	X	X	X	X	X	
MV-44*	Application for Driver License or Non-Driver ID Card	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-44NC*	Application for Name Change Only on Standard Permit, Driver License, or Non-Driver ID Card	X	X	X	X	X	X	X	X	X	X	X	X	Nepali
MV-45*	Statement of Identity And/Or Residence by Parent/Guardian	X	X	X	X	X	X	X	X	X	X	X	X	
MV-500H*	Important Information About Learner Permits	X	X	X	X	X	X	X	X	X	X	X	X	
NSS-1A*	Affidavit Stating No Social Security Number	X	X	X	X	X	X	X	X	X	X	X	X	Nepali



RT-3*	Schedule Your Road Test By Phone or Internet	X	X	X	X	X	X	X	X	X	X	X	X	
MV-2000	Written Test (Printed)	X	X	X	X	X	X	X	X	X	X			Albanian, Bosnian, Greek, Hebrew, Japanese
TI-RTC	Road Test Results Business Card	X	X	X		X	X	X	X	X	X		X	
CDL-10Intro*	Commercial Driver Manual Introduction	X	X	X	X	X	X	X	X	X	X	X	X	
CDL-10	Commercial Driver Manual										X			
CDL-ELDT	ELDT Applicability Factsheet										X			
DS-60	RIA Self Inventory										X			
MV-44NYR	Certificate of Residence										X			
MV-14	Tow Truck Manual										X			
MV-21	New York State Driver Manual										X			
MV-21MC	NYS Motorcycle Operator Manual										X			
MV-321SUR	License Plate Surrender Envelope										X			
MV-65	Vehicle Escort Driver Application										X			
MV-80	Physician's Statement										X			
MV-900	Notice of Lien										X			

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

**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 and to the Office of Language Access.



## **PART 5 – Staff Training**

**The person in the agency who is responsible for training staff in language access services is:** Michael Stanley, Director of Statewide Training.

**The staff training includes the following components:**

- The agency’s legal obligations to provide language access services
- The agency’s resources for providing language access services
- How to access and work with interpreters
- Cultural competence and cultural sensitivity
- How to obtain translation services
- Maintaining records of language access services provided to LEP individuals

**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 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 – Monitoring the Plan and Responding to Complaints**

### **A. Monitoring**

**Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:**

- Annual monitoring of agency activities to ensure compliance with New York State Executive Law Section 202-a;
- 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 New York State Executive Law Section 202-a;
- 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.

## **B. Complaints**

**We provide information to the public in at least the top 12 most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.**

**We display information on the right to file a complaint, and the procedures for filing 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 twelve languages. The standard complaint form is available to the public upon request in the top twelve languages identified in Part 2 and for download or online submission through our website.

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

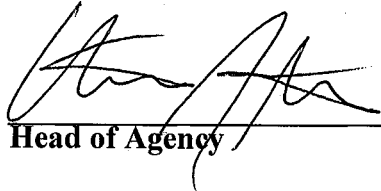
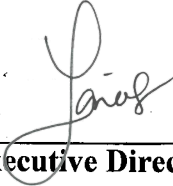
The Language Access Coordinator will review all discrimination complaints and determine appropriate actions and training opportunities.

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 in a timely manner.

All complaints will be timely forwarded to the Office of Language Access.



**PART 7 – Signatures**

	Exec. Dir. Commissioner	9/22/22
<b>Head of Agency</b>	<b>Title</b>	<b>Date</b>
Emily Lobello	HR Specialist 1	9/20/22
<b>Agency LAC</b>	<b>Title</b>	<b>Date</b>
		09/29/2022
<b>Executive Director, NYS Office of Language Access</b>		<b>Date</b>