LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Department of Motor Vehicles

Effective Date of Plan: October 1, 2024

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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 population with Limited English Proficiency ("LEP") 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 people with Limited English Proficiency ("LEP") have meaningful access to agency services, programs, and activities.

In this Plan, individuals with LEP 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 regulatory, adjudicatory and other 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 Population with Limited English Proficiency 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 languages among New Yorkers LEP. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by individuals with LEP in New York State.

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

#	Language	Estimated Number of Speakers with LEP (ACS 2018-2022)
1	Spanish	1,198,032
2	Chinese	377,524
3	Russian	124,422
4	Yiddish	90,199
5	Bangla (Bengali)	74,342
6	Haitian Creole	51,947
7	Korean	48,581
8	Arabic	42,907
9	Italian	41,155
10	French	34,304
11	Polish	33,122
12	Urdu	29,983

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 added the following languages beyond the top 12:

In addition to the top 12 languages spoken by New Yorkers with LEP, the Department of Motor Vehicles translated vital documents into Japanese, Portuguese, Albanian and Greek in consultation with the state Office of Language Access, as provisioned by the language access law. These additional languages help the agency engage the general public as it relates to the services and benefits, we provide.

Our agency tracks encounters of individuals with LEP in the following ways:
We identify our contacts of individuals with LEP by analyzing the language assistance data provided by our phone interpreting contractor. 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 individuals with LEP 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:

☒ Individuals with LEP 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, plus the four additional 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, we offer "I Speak" cards which are two-sided multilingual cards with a statement to request an interpreter and Your Language Access Rights brochures with printed information about Language Access Rights.

☒ 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 individuals with LEP in New York State

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

What are the populations with LEP targeted?

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

What are the LEP populations targeted?

☐ Social media posts directed at individuals with LEP 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, Bangla (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 has 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 the language of individuals with LEP

☒ Other (describe): DMV uses a simple transaction card (How Can I Help You?) translated into the top languages, plus the additional four, to help determine the reason for the individual's visit to DMV. Once this is determined, the individual with LEP 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 has 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 the language of individuals with LEP

☒ 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, we offer "I Speak" cards which are two-

sided multilingual cards with a statement to request an interpreter and Your Language Access Rights brochures with printed information about Language Access Rights.

☐ **At initial contact in the field:**

☒ **When speaking on the telephone:** When an individual with LEP 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 for individuals with LEP:** Individuals with LEP 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 language assistance needs of individuals with LEP as follows:

DMV documents the language assistance needs of individuals with LEP through data analytics provided by our language access contractor. We use the data provided by the contractor to track the type of languages that individuals with LEP request for interpretation services, in the areas we serve and by individual offices.

B. Oral Interpreting Services

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

☒ Bilingual staff members who work directly with individuals

Number of staff and languages spoken: There are a total of 51 Spanish-speaking Motor Vehicle Representatives, 1 Russian-speaking Motor Vehicle Representative, 2 Chinese-speaking Motor Vehicle Representatives, 5 Spanish-speaking Investigative Specialists, 1 Russian-speaking Investigative Specialist, and 1 Spanish-speaking Auto Facilities Inspector. The number of bilingual staff that work directly with individuals with LEP 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

Number of contractors and languages spoken: One contractor for telephonic interpreting services, that covers approximately over 300 languages and dialects.

☐ Contracts or other arrangements with school and community organizations

Number of contracts or other arrangements and languages spoken:

☐ Other (Describe)

Our agency protocols for informing individuals with LEP 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, offer "I Speak" cards which are two-sided multilingual cards with a statement to request an interpreter and Your Language Access Rights brochures with printed information about Language Access Rights..

☐ **At initial contact in the field:**

☒ **When speaking on the telephone:** When an individual with LEP 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 of individuals with LEP:** Individuals with LEP will be provided an interpreter upon request at the time of their appointment. Upon making the request for an appointment, the individual with LEP 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 contractor in a prompt manner. Language Access services are available in all state operated DMV offices and by phone during normal business hours.

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

Customers with LEP will be informed of the availability of free interpreting services. Generally, an individual with LEP may not have a family member, friend, or a minor interpret. However, **during emergencies** an individual with LEP may be permitted to have a minor, a family member or friend interpret. Upon request, an individual with LEP may also be permitted to have a minor, a family member or friend interpret for routine matters, such as asking the location of the office,

hours of operation or rescheduling an appointment. Where the interaction occurs at the Department's office, and an individual with LEP is permitted to have an interpreter of their choosing, they must fill out a written consent/waiver form.

Where an individual with LEP is engaged in official business with the Department, the Department will provide an independent interpreter at all times.

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:

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

Additionally, each of the counties within New York State that are not served by a New York State DMV issuing office are statutorily operated by elected County Clerks and staffed with county employees. DMV provides all County Clerk offices with language access training, oral interpreting services, translated forms, and other language access tools to ensure all New Yorkers with LEP have access to agency services, programs, and activities. These services are provided at no cost to the counties.

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 the primary language of the individual with LEP
☒ 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 individuals with LEP at each encounter. Our protocol in this regard is as follows:

DMV documents the language assistance needs of individuals with LEP through data analytics provided by our language access contractor. We use the data provided by the contractor to track the type of languages that individuals with LEP request for interpretation services, in the areas we serve and by individual offices.

Cultural Competence and Confidentiality

Our agency makes sure interpreters are culturally competent[1] in the following ways:

Where DMV utilizes contractor interpreting services, that contractor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent. An example of these standards: DMV's over-the-phone and video remote interpreting (VRI) contractor has a survey at the end of each interpreting session. The call can be rated on a scale of 1-5. Any call rated below a 3 is flagged for immediate investigation and necessary remediation.

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 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[2] 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[3] 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 contractor for translation.

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

☒ Contractors for translation services

[1] 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

[2] 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.

[3] The Plain Writing Act of 2010 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

Number of contractors: One primary contractor with approximately over 290 languages covered.

☐ 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

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

Documents and correspondence received from an individual with LEP are translated by the selected contractor 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	Albanian, Greek, Japanese, Portuguese
MV-82*	Vehicle Registration/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-82.1*	Register/Title a Vehicle in New York State	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-82B*	Boat Registration/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-82.1B*	Registering/Titling a Boat in New York State	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-82ITP*	In-Transit Permit/Title Application	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese

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	Albanian, Greek, Japanese, Portuguese
MV-902*	Application for Duplicate Title	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
PA-6*	How Can I Help You Packet?	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
PE-701*	Reasonable Accommodation in State Programs and Services	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
AA-53.2	Statement in Place of Personal Appearance and Instructions	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
AA-FDR	Financial Disclosure Report for Payment Plans	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
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, Albanian, Greek, Japanese, Portuguese

MV-15C*	Request for Driving Record Information	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-232*	Address Change	X	X	X	X	X	X	X	X	X	X	X	X	Nepali, Albanian, Greek, Japanese, Portuguese
MV-262*	Certification of Supervised Driving	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-263*	Online Permit Test Permit/Guardian Certification	X	X	X	X	X	X	X	X	X	X	X	X	Nepali, Albanian, Greek, Japanese, Portuguese
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, Albanian, Greek, Japanese, Portuguese
MV-44.5	Federal Requirements for Commercial Driver License (CDL) Applicants	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-44*	Application for Driver License or Non-Driver ID Card	X	X	X	X	X	X	X	X	X	X	X	X	Nepali, Albanian, Greek, Japanese, Portuguese

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, Albanian, Greek, Japanese, Portuguese
MV-45*	Statement of Identity And/Or Residence by Parent/Guardian	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
MV-500H*	Important Information About Learner Permits	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
NSS-1A*	Affidavit Stating No Social Security Number	X	X	X	X	X	X	X	X	X	X	X	X	Nepali, Albanian, Greek, Japanese, Portuguese
RT-3*	Schedule Your Road Test By Phone or Internet	X	X	X	X	X	X	X	X	X	X	X	X	Albanian, Greek, Japanese, Portuguese
TI-RTC	Road Test Results Business Card	X	X	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	Albanian, Greek, Japanese, Portuguese
CDL-10	Commercial Driver Manual			X						X	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			
MV-901A	Notice of Lien and Sale										X			
MV-2001	Claim and Release Form										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 contractor (where applicable), will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided. Contractor deficiencies are reported to the DMV's LAC. DMV will report any deficiencies of the contractor 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 individuals with LEP

The methods and frequency of training are as follows:

All DMV employees 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. <u>Monitoring</u>

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:

• Annually monitor agency activities to ensure 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 individuals with LEP of their right to file a complaint, and the process to do so, in the top twelve languages plus the four additional languages. The standard complaint form is available to the public upon request in the top twelve languages identified in Part 2, plus the four additional languages; the complaint form is also available to download or can be submitted online 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

	Executive Deputy Commissioner	10/1/2024
Head of Agency	**Title**	**Date**
Blake Livingston	Diversity, Equity & Inclusion Officer	10/1/2024
Agency LAC	**Title**	**Date**
	Margarita Larios	11/6/2024
Executive Director, NYS Office of Language Access		**Date**