



**National
Transportation
Safety Board**

Motor Carrier Factors Registration, Inspections, and Operating Authority

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Overview

- Prestige Limousine and Chauffeur Service
- Registration of the limousine
- Inspection of the limousine
- Lack of operating authority

Prestige Limousine and Chauffeur Service

- From taxi operation to limousines in 2016
- At time of crash, had 3 stretched Town Cars and 2001 Ford stretch limousine
- Advertised under several names
- Prestige needed to—
 - Properly register 2001 Ford stretch limousine
 - Obtain operating authority from state
- Prestige NEVER did either



- Photo from the Times Union by James Goolsby

Registering a Limousine in New York

- NYSDMV registers and licenses all NY vehicles
- Vehicle had been licensed correctly from 2001 until 2016 by original owner
- Registration determines DMV or DOT inspections
 - Unmodified with seating <15 inspected by DMV
 - Unmodified with seating >15 inspected by DOT
 - Modified always inspected by DOT, unless exempted

Prestige's Incorrect Registrations

- Limousine had been registered correctly by previous owner, listing seating capacity of 18
- 2016-2018: Prestige listed three different seating capacities, all incorrect, and denied modification
- NYSDMV did not check previous registrations or examine documents to discover inaccuracies in registration

NYSDMV Registrations

- NYSDMV uses different definition of bus
- NYSDOT defines bus as seating 10 or more passengers (also federal definition)
- Definition drives registration and inspection
- Using same definition closes loophole that Prestige used

NYS Inspection Programs

NYSDOT Program

- More stringent
- Every 6 months
- More comprehensive
- Inspectors certified
- Detailed database
- Unique decal/certificate

NYSDMV Program

- Less stringent
- Every 12 months
- Less comprehensive
- Inspectors are contractors
- Pass/fail
- Standard decal only

Oversight of NYSDMV Inspection Stations

- Limo inspected 2 times under DMV program
 - Two different stations
- As of November 2011, DMV stations not to inspect modified vehicles
- No effective oversight of inspection stations
- Did not assess penalties on stations that violated regulations

New York State Operating Authority

- Operating authority required for most passenger carriers, including Prestige
- Operating authority has many requirements
- Prestige was aware it needed to have authority
 - 2016a: sought Emergency Temporary Authority
 - 2016b&c: sought Emergency Temporary Authority
 - 2018: sought regular operating authority
- Prestige NEVER obtained operating authority

NYSDOT Interactions with Prestige

- NYSDOT was aware of Prestige
 - 2016 and 2018 applications for authority
 - 2017 NOV #1 issued for operating w/o authority
 - 2018 NOV #2 issued for operating w/o authority
 - 2018 NOV #3 issued for no DOT # and driver w/o endorsement
- Last NOV is still outstanding

NYSDOT Interactions with Prestige

- At least 7 opportunities to prevent operation
- NYSDOT did not follow up to ensure Out of Service (OOS) violations were repaired
- 2003 and 2014 audits showed same problem
- State should implement audit recommendations

Verifying OOS Repairs

- Not unique to New York; national issue
- FMCSA has experience with OOS drivers and vehicles
- Can provide best practices to states for mitigating this issue with intrastate carriers

State of New York Regulatory Changes

- Clarified NYSDMV authority to revoke registrations of noncompliant vehicles and issue penalties to inspection stations
- Clarified NYSDOT authority to disable OOS limousines
- Increased fines for operating without authority and for violating safety regulations

Summary

- NYSDMV failed to verify vehicle registration forms, allowing DOT inspections to be bypassed
- NYSDMV failed to oversee its inspection stations
- NYSDOT failed to keep Prestige from operating without authority
- NYSDOT failed to verify that OOS violations were repaired
- FMCSA can provide guidance to states on OOS



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