



**Department of  
Motor Vehicles**

# **Article 19-A Guide for Motor Carriers**



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## Introduction

The Article 19-A Guide for Motor Carriers was developed to help carriers meet initial filing requirements under Article 19-A of the New York State Vehicle and Traffic Law. The guide will walk you through the process of registering your business and reporting your drivers; it will also give you information about the safety procedures you are required to perform on the drivers you employ. Additional information found in the guide includes:

- a motor carrier's annual filing requirements
- reporting changes about your business, such as a change in address, phone number, etc.
- reporting requirements if you close operations
- a list of required forms

While the guide does not cover all requirements under Article 19-A, we hope it will help you understand the registration process and the laws governing motor carriers and their drivers. For a complete guide to Article 19-A of the NYS Vehicle and Traffic Law and Part 6 of the Commissioner's Regulations (form DS-700) visit our website at <http://dmv.ny.gov/motor-carriers/information-and-forms-article-19>.

## SECTION 1: ARTICLE 19-A CARRIER REGISTRATION

This section explains the requirements for registering as an Article 19-A motor carrier with the New York State Department of Motor Vehicles (DMV) Bus Driver Unit. Use this section to ensure that you have completed all of the required steps. The forms referenced in this section are fill-in forms and can be downloaded at <http://dmv.ny.gov/motor-carriers/information-and-forms-article-19>.

Follow these steps in the order presented:

### 1. **Determine Your Carrier Type**

Decide which carrier type you need to register as: **School, Non-School, or School and Non-School**. (The Glossary provides descriptions of each carrier type). Please note that School carriers are required to have their drivers fingerprinted for a criminal background review.

### 2. **Complete Form DS-879 (Article 19-A Carrier Application)**

This form is used to register your business. Leave the field “**19-A Business ID Number**” blank. The 19-A Business ID number will be assigned to you during the registration process; you will receive notification of your Business ID number from the Bus Driver Unit.

This form is also used to establish a web-based file for carriers who register for electronic processing (Online System). You must provide the name and e-mail address of the **liaison** (see the Glossary for a description) who will be responsible for processing transactions and maintaining the electronic account. The **liaison** will serve as the administrator and contact person between your company and the Bus Driver Unit for all online related processing and questions.

### 3. **Complete Form DS-19 (Article 19-A Motor Carrier Accident and Conviction Notification Program Application)**

All carriers are required to establish an escrow account in order to obtain accident and conviction notifications on their drivers. Page 1 of form DS-19 refers to the escrow account. The amount of money needed to open an escrow account will depend on the number of drivers you employ. Refer to the opening deposit table on the form to determine your fee. **Make your check or money order payable to “Commissioner of Motor Vehicles”.**

Carriers are also required to have a Driver’s Privacy Protection Act (DPPA) on file in order to obtain information on DMV records. Page 2 of form DS-19 refers to the DPPA. You must provide the carrier’s name, the representative’s name (printed name & signature) and title, and the date.

***Page 2 must be notarized.***

### 4. **Mail the following items to the Bus Driver Unit:**

- DS-879 Article 19-A Carrier Application
- DS-19 Article 19-A Accident and Conviction Notification Program Application
- Escrow Account Check
- Mail your documents to:

NYS DMV Bus Driver Unit  
6 Empire State Plaza Room 136B  
Albany NY 12228

**5. Carrier and Electronic Online Account Established; 19-A Business ID Number Assigned**

Upon receipt of the forms DS-879 and DS-19 with the required fee, the Bus Driver Unit will establish a carrier file for your company and assign you a 5 digit 19-A Business ID number. The Bus Driver Unit will also create your 19-A online account, which will include a User ID and password for logging into your electronic account.

**6. Acknowledgement Letter for 19-A Compliance and Business ID Number**

After your record has been established your company will receive an acknowledgement letter, from the Bus Driver Unit, confirming that your company has met initial filing requirements under Article 19-A. The acknowledgement letter will also inform you of your 19-A Business ID number.

**7. Online User ID and Password**

The liaison's User ID and password for the online account will be sent to the e-mail address listed in the **Liaison/Contact Information** section of the form DS-879. For security purposes, information regarding the User ID and password will be sent to the liaison in two separate e-mails. A link for accessing the online system will also be provided to the liaison. The initial password assigned to the liaison is a temporary password and will need to be changed the first time the liaison logs into the account.

**8. Establishing Your Carrier's Driver Roster**

You must report to the Bus Driver Unit all drivers who are transporting for you. Once your online account has been established, you will enter information about your drivers, thereby creating your **Driver Roster**. See Section 2 (19-A Online System) of this booklet for instructions on how to add drivers electronically.

**9. Fingerprinting Your Drivers**

All school bus drivers must be fingerprinted. School bus drivers cannot be added to your roster until fingerprinting has been completed. Fingerprinting services are provided by MorphoTrust Enrollment Solutions (MorphoTrust). Fingerprinting is done by appointment only. Appointments are scheduled by you, the motor carrier. You and your driver are required to complete form **DS-600 (Request for NYS Fingerprinting Services Information Form)**. At the time of your driver's appointment, your driver will take to the fingerprinting location the completed DS-600 and the required proof of identification. Instructions on how to complete the form and the required proof of identification are provided with the application. To select a fingerprinting location, schedule an appointment and get information about the required fee, contact MorphoTrust at 1-877-472-6915 or visit them online at [www.identogo.com](http://www.identogo.com).



**Did you remember to:**

- Determine your carrier type?
- Complete form DS-879?
- Complete form DS-19?
- Notarize page 2 of the form DS-19?
- Make your check or money order payable to the "Commissioner of Motor Vehicles"?
- Mail your documents?

## SECTION 2: 19-A ONLINE SYSTEM

After you have registered and your online account is created you will have the ability to electronically add both New York State and out-of-state licensed drivers to your online account. For additional information on how to process transactions online please refer to the **19-A User Guide** located under the **Help** menu option (this is a drop down menu) on the **Carrier Details** page of the 19-A Online System (see Figure 1).

The screenshot shows the 'New York State DMV - 19-A System' interface. The top navigation bar includes 'Links', 'Reports', 'Help', 'Liaison', 'Group Page', and 'Logout'. The 'Help' menu is expanded, showing '19A User Guide', 'RAVE manual', and 'Contact BDU'. The main content area is titled 'CARRIER DETAILS' and displays the following information:

- Business ID: 21974
- Business Name: ABC BUS COMPANY
- \*Street: MAIN ST
- \*County: ALBANY
- \*Phone: 518 -234 -5678 x
- Escrow Account: 150000
- \*Contact First Name: JONATHON
- Contact Title:
- Owner First Name: MARYANN
- Attention Name: TRANSPORTATION SUPERVISOR
- Alternate Name: ALBANY BUS COMPANY
- Federal ID: 12-3456789
- Status: ACTIVE
- \*City: ALBANY
- \*ZIP: 12228
- Fax:
- NYS DOT:
- \*Contact Last Name: SMITH
- Owner Last Name: SMITH
- SSN: -
- Carrier Type: SCHOOL & NON-SCHOOL
- \*State: NY
- T&I District: ALBANY T AND I
- \*Email: ABC@SCHOOL.EDU
- US DOT:
- Contact Middle Initial: A
- Contact Suffix:
- Owner Middle Initial: T
- Owner Suffix:

At the bottom of the page, there are buttons for 'Modify Data', 'Locations', 'Drivers', 'Contracts', and 'Notifications'.

Figure 1. Carrier Details Page

Article 19-A requires a carrier to notify the Bus Driver Unit whenever a driver is hired, re-hired **or** leaves employment. The law requires carriers to submit this notification within 10 days of the hire, re-hire or termination date.

### A. ADDING DRIVERS ONLINE

Prior to completing form DS-870 (Article 19-A Bus Driver Application) for a driver, you need to ensure that the following requirements have been met:

- ✓ The driver must be at least eighteen (18) years old and must be twenty-one (21) for school bus operation.
- ✓ The driver must have a valid commercial driver license or permit with a Passenger (“P”) endorsement.
- ✓ You must obtain one of the following physical examination reports for the driver: Medical Examination Report of Driver Under Article 19-A (form DS-874) or Federal Medical Examination Report for Commercial Drivers pursuant to 49CFR Part 391 (form 649-F). This Medical Examination Report is referred to as the “Pre-Employment Physical” and is required to be maintained in your driver folder.
- ✓ You must obtain a License Abstract of Driving Record from the appropriate agency in every state where the person resided or worked and/or held a driver’s license or learner’s permit during the preceding three years before employing the driver. This is referred to as the “Pre-Employment Abstract” and is required to be maintained in your driver folder.

Once you have met those requirements, follow the steps below to add a driver to your roster:

**1. Complete form DS-870 (Article 19-A Bus Driver Application).**

This form must be completed by you and the driver when you hire a **new** driver to your company. The driver's activation date is the date the carrier signed and dated form DS-870 (Bus Driver Application). Fill in all sections and make sure that both you and your driver sign and date the application. Form DS-870 **must** be retained as part of your driver file for auditing purposes (see Section 3 "Requirements for Driver File").

**2. If the driver has an out-of-state license, complete form DS-500.**

If you have an out-of state driver, you must request a New York State Client ID number (CID) in order to connect the out-of-state driver to your roster. Complete form **DS-500 (Article 19-A Request for NYS Client ID Number)** then, fax it to (518) 474-0593 or mail it to the Bus Driver Unit. The CID number assigned to the driver will be mailed or faxed to you.

**3. Add driver(s) online.**

a. After completing form DS-870 (Article 19-A Bus Driver Application) log into the 19-A Online System to add the driver to the company's roster. The liaison will access the system through DMV's VPASS system using the following internet address: <https://secure.dmv.ny.gov/vpass/>. Enter the following information on the 19-A secure sign-in screen as follows (see Figure 2):

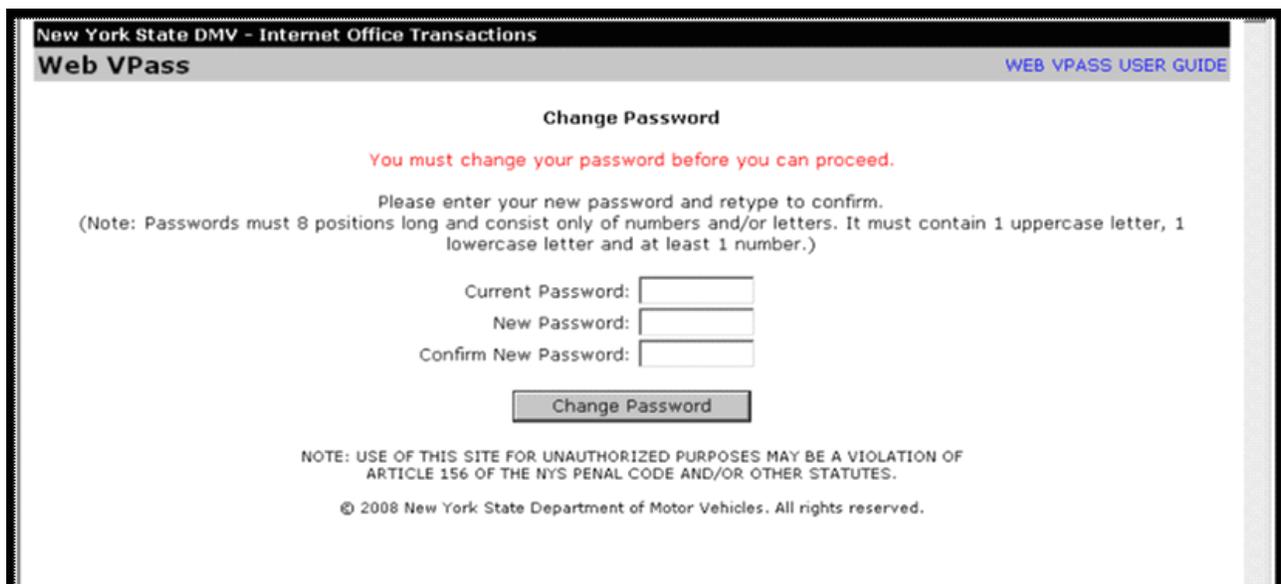
- 1) Enter your **User ID** (obtained from the liaison's e-mail)
- 2) Enter your **Password** (obtained from the liaison's e-mail)
- 3) Click **Login**

The screenshot shows a web browser window with the address bar containing <https://secure.dmv.ny.gov/vpass/>. The page content includes the following elements:

- Page title: [NYS DMV Internet Office](#) with links for [Home](#) and [Site Map](#).
- Section heading: **Site Pass**
- Instruction: **Please enter your User ID and Password below:**
- Input fields:
  - User ID:
  - Password:
- Note: (User IDs and Passwords are case-sensitive)
- Button:
- Links:
  - [Click here to change your password](#)
  - [Click here to Signup for Automated Password Reset](#)
  - [Click here to Change your Personal Information](#)
- Disclaimer: NOTE: USE OF THIS SITE FOR UNAUTHORIZED PURPOSES MAY BE A VIOLATION OF ARTICLE 155 OF THE NYS PENAL CODE AND/OR OTHER STATUTES.
- Copyright: © 2005 New York State Department of Motor Vehicles. All rights reserved.

**Figure 2. VPASS Sign-In Screen**

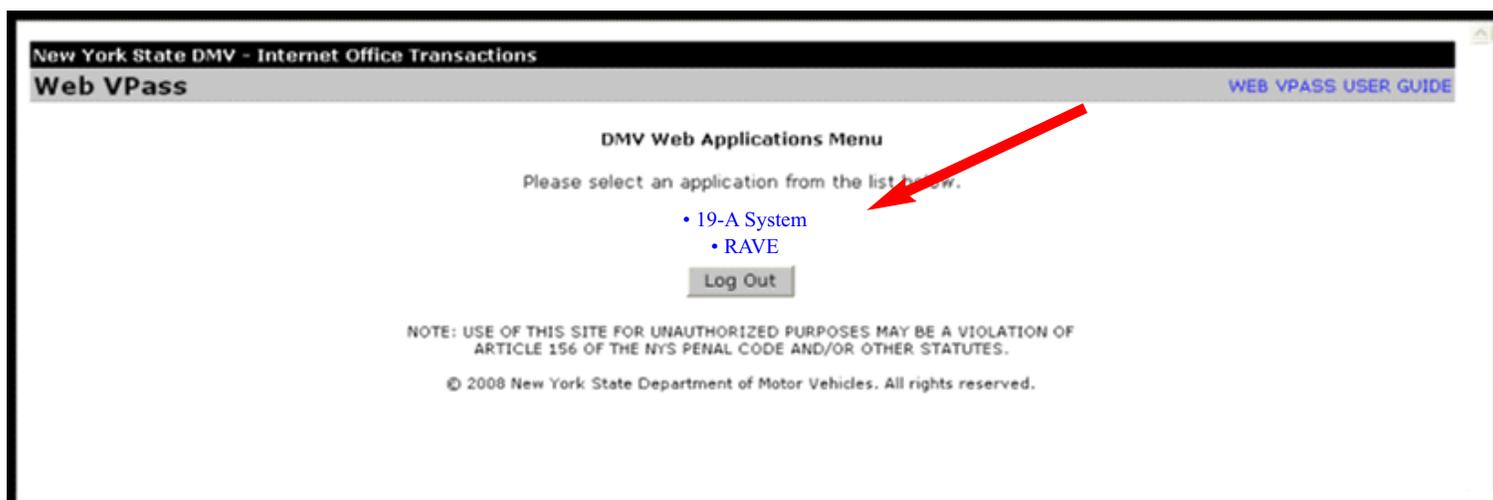
- b. VPASS will prompt the user to change the password after the initial sign-in (see Figure 3). Follow the prompts on the screen for changing the password.



The screenshot shows the 'Change Password' interface. At the top, it says 'New York State DMV - Internet Office Transactions' and 'Web VPass'. A red message states: 'You must change your password before you can proceed.' Below this, instructions read: 'Please enter your new password and retype to confirm. (Note: Passwords must 8 positions long and consist only of numbers and/or letters. It must contain 1 uppercase letter, 1 lowercase letter and at least 1 number.)' There are three input fields: 'Current Password:', 'New Password:', and 'Confirm New Password:'. A 'Change Password' button is centered below the fields. At the bottom, a legal notice states: 'NOTE: USE OF THIS SITE FOR UNAUTHORIZED PURPOSES MAY BE A VIOLATION OF ARTICLE 156 OF THE NYS PENAL CODE AND/OR OTHER STATUTES. © 2008 New York State Department of Motor Vehicles. All rights reserved.'

Figure 3. Prompt To Change Password

- c. After the password has been successfully changed, sign off and log into the system again using the new password. The next screen displayed will ask for your e-mail address and, also, will prompt you to sign up for **Automated Password Reset**. Follow the prompts to sign up for the Automated Password Reset. After you have logged into the 19-A system, the screen will display a **DMV Web Applications Menu** (see Figure 4). From that menu select the **19-A System** application. Your **Carrier Details** page will be displayed after selecting **19-A System** (see Figure 5).



The screenshot shows the 'DMV Web Applications Menu' interface. At the top, it says 'New York State DMV - Internet Office Transactions' and 'Web VPass'. The main heading is 'DMV Web Applications Menu'. Below this, it says 'Please select an application from the list below.' There is a bulleted list with two items: '• 19-A System' and '• RAVE'. A 'Log Out' button is centered below the list. A red arrow points to the '19-A System' link. At the bottom, a legal notice states: 'NOTE: USE OF THIS SITE FOR UNAUTHORIZED PURPOSES MAY BE A VIOLATION OF ARTICLE 156 OF THE NYS PENAL CODE AND/OR OTHER STATUTES. © 2008 New York State Department of Motor Vehicles. All rights reserved.'

Figure 4: DMV Web Applications Screen

- d. The carrier details page is where you will add a driver(s) to your roster. Complete the following steps (see Figure 6):
- 1) Select the **Drivers** button
  - 2) Click **Connect**
  - 3) Enter the driver's Client Identification number (CID) in the text box labeled **Driver CID**
  - 4) Click **Driver Connect**
  - 5) Enter the driver's activation date in the text box labeled **Driver Activation Date** (the driver's activation date is the date the carrier signed and dated form DS-870, Bus Driver Application).
  - 6) **You must** also enter **Yes** or **No** from the drop down menu in the **School Indicator** text box. All school bus drivers must be electronically fingerprinted **before** you can add the driver to your roster.
  - 7) Click **Add**
  - 8) The **Employer Certification** box will appear (see Figure 7); you will do one of the following:
    - a. Certify that the driver meets requirements: click **OK**
    - b. Certify that the driver **does not** meet requirements: click **Cancel** (if you click **Cancel**, your driver **will not** be added)
  - 9) You will receive an electronic confirmation that your driver has been successfully added after your transaction is completed. Print a copy of your receipt by clicking the **Show Receipt** button (see Figure 8). Retain a copy of your receipt, along with form DS-870 (Bus Driver Application), in your driver's 19-A file (see Figure 9).

**\*\*\*Note:** On the Carrier Details page, you have the capability to modify any field with a white box. You must notify the Bus Driver Unit, in writing, to change any information that is in bold print. To save your changes, you must click "Modify Data".

**New York State DMV - 19-A System** User:

Links Reports Help Liaison Group Page Logout

Show Details  Hide Details

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**CARRIER DETAILS**

Business ID: <b>21974</b>	Federal ID: <b>12-3456789</b>	SSN: -
Business Name: <b>ABC BUS COMPANY</b>	Status: <b>ACTIVE</b>	Carrier Type: <b>SCHOOL &amp; NON-SCHOOL</b>
*Street: MAIN ST	*City: ALBANY	*State: NY
*County: ALBANY	*ZIP: 12228	T&I District: <b>ALBANY T AND I</b>
*Phone: 518 234 5678 X	Fax:	*Email: ABC@SCHOOL.EDU
Escrow Account: <b>150000</b>	NYS DOT:	US DOT:
*Contact First Name: JONATHON	*Contact Last Name: SMITH	Contact Middle Initial: A
Contact Title:		Contact Suffix:
Owner First Name: MARYANN	Owner Last Name: SMITH	Owner Middle Initial: T
Attention Name: TRANSPORTATION SUPERVISOR		Owner Suffix:
Alternate Name: ALBANY BUS COMPANY		

Internet

Figure 5. Carrier Details Screen

**New York State DMV - 19-A System** User:

Links Reports Help Liaison Group Page Logout

Show Details  Hide Details

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**CARRIER DETAILS**

Business ID: 21974	Federal ID: 12-3456789	SSN: -
Business Name: ABC BUS COMPANY	Status: <b>ACTIVE</b>	Carrier Type: SCHOOL & NON-SCHOOL
*Street: MAIN ST	*City: ALBANY	*State: NY
*County: ALBANY	*ZIP: 12228	T&I District: ALBANY T AND I
*Phone: 518 -234 -5678 X	Fax:	*Email: ABC@SCHOOL.EDU
Escrow Account: 150000	NYS DOT:	US DOT:
*Contact First Name: JONATHON	*Contact Last Name: SMITH	Contact Middle Initial: A
Contact Title:	Owner Last Name: SMITH	Contact Suffix:
Owner First Name: MARYANN	Owner Middle Initial: T	Owner Suffix:
Attention Name: TRANSPORTATION SUPERVISOR		
Alternate Name: ALBANY BUS COMPANY		

Modify Data Locations Drivers Contracts Notifications

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**DRIVERS:**  Search  Connect  History

Driver CID:

---

**DRIVER ADD DETAILS**

Client ID: 302176702	Last Name: SMITH	First Name: JOHN	Middle Initial:
Street: SWAN ST	City: ALBANY	State: NY	ZIP: 12228
DOB: 01/01/1952	Gender: M	19A Status: <b>DISQUALIFIED</b>	

**DRIVER CONNECT DETAILS**

Driver Activation Date:  School Indicator:

Figure 6: Add New Driver Screen



Figure 7: Employer Certification

**New York State DMV - 19-A System** User:

Links Reports Help Liaison Group Page Logout

Show Details  Hide Details

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**CARRIER DETAILS**

Business ID: 21974	Federal ID: 12-3456789	SSN: -
Business Name: ABC BUS COMPANY	Status: ACTIVE	Carrier Type: SCHOOL & NON-SCHOOL
*Street: MAIN ST	*City: ALBANY	*State: NY
*County: ALBANY	*ZIP: 12228	T&I District: ALBANY T AND I
*Phone: 518 234 5678 X	Fax:	*Email: ABC@SCHOOL.EDU
Escrow Account: 150000	NYS DOT:	US DOT:
*Contact First Name: JONATHON	*Contact Last Name: SMITH	Contact Middle Initial: A
Contact Title:	Owner Last Name: SMITH	Contact Suffix:
Owner First Name: MARYANN	Owner Middle Initial: T	Owner Suffix:
Attention Name: TRANSPORTATION SUPERVISOR		
Alternate Name: ALBANY BUS COMPANY		

Modify Data Locations Drivers Contracts Notifications

DRIVERS:  Search  Connect  History

Driver CID:

**MBCCE003: THE DRIVER HAS BEEN ADDED SUCCESSFULLY TO THE CARRIER**

Figure 8: Successful Driver Add Screen

<b>New York State DMV</b> Date: 09/18/2008	<b>19-A DRIVER ACTIVATION RECEIPT</b>
<b>RECEIPT</b>	<b>NEW YORK STATE DMV</b>
<b>BUSINESS ID:</b>	<b>21974</b>
<b>BUSINESS NAME:</b>	<b>ABC BUS COMPANY</b>
<b>FEDERAL ID:</b>	<b>123456780</b>
<b>ADDRESS:</b>	<b>MAIN ST ALBANY, NY 12345</b>
<b>CARRIER TYPE:</b>	<b>SCHOOL &amp; NON-SCHOOL</b>
<b>CONTACT PERSON:</b>	<b>JONHATHON SMITH</b>
<b>Driver JOHN SMITH, Client ID: 302176702 was successfully activated on 09/10/2008 by user UNAME.</b>	
<b>EMPLOYER CERTIFICATION</b>	
<b>This driver meets the applicable qualification requirements as specified in Sections 6.3, 6.4, 6.5 and/or 6.6 of the regulations of the Commissioner of Motor Vehicles.</b>	

Figure 9: Driver Connected Receipt

\*\*

**Reminders:**

- *You must obtain a Pre-Employment License Abstract and a Pre-Employment Physical (form DS-874 or form 649-F) dated on or before the driver's hire date (the driver's hire date is the date **the carrier** has signed and dated the application).*
- *You must maintain a driver file. In the driver's file, keep the following documentation for future audits by DMV:*
  - *A copy of completed form DS-870 (Bus Driver Application)*
  - *If applicable, a completed copy of form DS-500 (Request for NYS Client ID Number)*
  - *The Pre-Employment License Abstract*
  - *The Pre-Employment Physical*
  - *The Driver Connected receipt*



**Also:** *Be sure that you fill out the field on form DS-870 that asks “**Is the employer/carrier a school bus carrier?**” Not sure of your carrier type? Review the Glossary of Article 19-A Motor Carrier Types and Terms to determine if the type of transportation you are providing needs to be defined as “school.”*

**Did you remember to:**

- Obtain a pre-employment abstract(s) of driving record(s) before hiring the driver?
- Obtain a pre-employment physical (form DS-874 or form 649-F) before hiring the driver?
- Complete form DS-870 (Bus Driver Application)?
- Complete form DS-500 (Request for NYS Client ID Number), if applicable and mail or fax it?
- Electronically add your driver to your roster?
- Print a copy of your “Driver Connected” receipt?
- Create a 19-A driver file for each driver?
- Place all driver related documents in the 19-A driver file?

## SECTION 3: REQUIREMENTS FOR DRIVER FILE

Article 19-A requires you to establish and maintain, for a period of three years plus the current year, a paper file for each driver you employ. Your driver file must contain form DS-870 (Article 19-A Bus Driver Application), the pre-employment documents, and the documentation from the annual (due at least once every 12 months) and biennial (due at least once every 24 months) safety procedures that must be conducted. Your driver file should also contain all correspondence sent to you by the DMV regarding your driver's license record and/or 19-A qualification. DMV's Testing and Investigation Unit will periodically audit your files for compliance under the law. *DMV will accept photocopied procedures. All photocopied procedures must have a notation on the copy indicating where the original can be found. Original procedures must be made available for review if requested. Driver files must be available for inspection anytime during regular business hours.*

In this section, we will review the pre-employment, annual, biennial, and miscellaneous procedures that you must conduct and the documents you must retain in your driver's file.

### A. PRE-EMPLOYMENT PROCEDURES

A motor carrier must obtain the following two pre-employment documents before hiring a driver:

#### 1. License Abstract of Driving Record

You must obtain a "Pre-Employment Abstract", which is an abstract from the appropriate agency in every state where the driver resided, worked, and/or held a driver license or learner permit during the preceding three years before employing the driver.

- The pre-employment abstract must be dated on or prior to the date of hire. The date must also be within one year of the hire date (the hire date is the date the carrier has signed and dated form DS-870, the bus driver application).

#### 2. Physical Examination Report:

You must obtain the "Pre-Employment Physical", which is either form DS-874 (Medical Examination Report of Driver Under Article 19-A) **or** form 649-F (Medical Examination Report for Commercial Driver Fitness Determination).

- The pre-employment physical must be dated on or prior to the date of hire. The date must also be within two years of the date of hire (the hire date is the date the carrier has signed and dated form DS-870, the bus driver application).

### Important Reminder:

The pre-employment abstract and the pre-employment physical must be retained in your driver's folder for future audits.

### B. ANNUAL PROCEDURES FOR MOTOR CARRIERS

There are three (3) safety procedures that must be conducted annually by a motor carrier under Article 19-A. This section will review each annual procedure and the corresponding form needed to complete the safety requirement.

#### 1. Obtain an Annual Abstract

You are required to obtain an abstract of the NYS and, if applicable, out-of-state driving record at least once every 12 months. The date the yearly abstract is due will depend on the date you obtained the prior abstract, for example:

- Pre-employment abstract obtained on 2/1/10, next abstract due on or before 2/1/11
- Yearly abstract obtained on 1/18/11, next abstract due on or before 1/18/12

Please remember, the first abstract you must obtain for each driver is the pre-employment abstract, which should be dated on or prior to the driver's hire date. If a driver is licensed out-of-state you must also obtain an abstract of driving record from the state in which the driver is licensed. Make sure that the abstract you obtain is a complete record of your driver's license file.

You can get a NYS license abstract through any one of the following options:

- Order by mail - complete form MV-15C (Request for Driving Record Information), which can be downloaded at <http://www.dmv.ny.gov/forms.htm>
- Visit a local NYS DMV office (**for out-of state licensed drivers please contact the motor vehicle office in your driver's state of license**)
- Use a Dial-In-Search Account, which allows you to use your computer/modem to access DMV records; additional information on this service can be found at <http://www.dmv.ny.gov/records/dial-search-accounts>
- Through a private source such as an insurance company or service bureau
- Through LENS (License Event Notification Service): information on this service can be found at <http://dmv.ny.gov/records/license-event-notification-service-lens-accounts>

## **2. Conduct an Annual Review of the Employee's Driving Record (complete form DS-872)**

You are required to perform an annual review and personal interview of your driver's operating record at least once every 12 months. The review and personal interview is conducted so that you can determine if the driver is meeting requirements for safe driving and for compliance under Article 19-A regulations.

The review will be due within one (1) year from the date of hire for your driver and every year thereafter. The date the yearly review is due will depend on the date you conducted the prior review. For example:

- Hire date 2/1/10, annual review due on or before 2/1/11
- Yearly review conducted on 1/13/11, next review due on or before 1/13/12

Complete the Annual Review as follows:

- An authorized representative of the carrier must conduct the review
- Fill out form DS-872 completely. Make sure it is signed and dated by both the authorized representative and the driver
- The review must be conducted with an abstract of driving record that is dated no more than 30 days from the date of the interview. If the driver resides, or is licensed, in a state other than New York, you must also obtain an abstract of driving record from the state in which the driver resides or is licensed. *The interview cannot be conducted or dated prior to the print date of the abstract*
- The abstract should be attached to the form DS-872

### 3. Report On Annual Defensive Driving Performance For Driver Under Article 19-A (Form DS-873)

You are required to have a certified examiner perform an annual defensive driving observation on your driver at least once every 12 months. The defensive driving observation will be due within one (1) year from the date of hire for the driver and every year thereafter. The date the yearly review is due will depend on the date the prior observation was performed. For example:

- Hire date 7/14/12, Annual Defensive Driving Observation due on or before 7/14/13
- Yearly review conducted on 6/10/13, next review due on or before 6/10/14

Complete the Annual Defensive Driving Observation as follows:

- Have a Certified Examiner (refer to Glossary) conduct the observation.
- The defensive driving observation must be conducted while your driver is operating a bus with passengers.
- The Certified Examiner may conduct the observation either inside or outside of the bus that the driver is operating.
- The Certified Examiner fills out form DS-873 completely; make sure it is signed and dated by the driver.

The defensive driving observation **cannot** be performed on the same day as, or combined with, the biennial Behind-the-Wheel Road Test.

### C. BIENNIAL PROCEDURES FOR MOTOR CARRIERS

There are three (3) safety procedures that must be conducted biennially (once every 2 years) by a motor carrier under Article 19-A. This section will review each procedure and the corresponding form that is needed to complete the safety requirement.

#### 1. Medical Examinations

Before you hire a bus driver, the driver must pass a medical examination, referred to as the **pre-employment physical** (see Section 2). The driver must also have a medical examination performed at least once every 2 years starting from the date of the pre-employment physical. If certain medical conditions are present, the medical examiner may require more frequent follow ups. Article 19-A requires all diabetic drivers to have a 6 month follow up conducted by their personal physician. Although 19-A requires that a medical exam be conducted at least once every two years, **State Education Department (SED)** rules may also apply.

**\*\*\*Be sure you are meeting medical requirements and/or deadlines as set by the medical examiner or the appropriate regulating agency.**

Complete the medical requirement as follows:

- a. The medical exam must be conducted by a medical examiner who is NOT the driver's personal physician. One of the following forms must be used for your driver's physical exam:
  - DS-874 (Medical Examination Report of Driver Under Article 19-A)
  - Form 649-F (Federal Medical Examination Report for Commercial Drivers, pursuant to 49CFR Part 391) - A Medical Examiner's Certificate will be issued to the driver by the medical examiner who completed this exam.
- b. All sections of the medical form must be completed; **no sections should be left blank.**

- c. The medical exam can only be conducted by one of the following medical professionals: MD (Medical Doctor), DO (Doctor of Osteopathy), PA (Registered Physician's Assistant) or Certified Nurse Practitioner even if completing a Federal medical examination.  
**(Article 19-A does not recognize a Chiropractor as an acceptable medical examiner, even if conducting a Federal medical exam).**
- d. For physicals conducted using form 649-F (Federal Medical Examination Report for Commercial Drivers, pursuant to 49 CFR Part 391), any medical certificate issued May 21, 2014 or later, must come from a medical examiner listed on the National Registry of Certified Medical Examiners (National Registry). To find a certified medical examiner or obtain information about this program, visit <http://www.nationalregistry.fmcsa.dot.gov>.
- e. **DS-874C (Supplement to: Medical Examination of Driver Report Under Article 19-A).** Form DS-874C is **not required**. This form is to be used if additional space is needed for written comments/information when completing form DS-874 (Medical Examination Report of Driver Under Article 19-A). When used, this form must be attached to form DS-874 and retained in the driver's file.
- f. **Medical Variances** - For those drivers who have or are applying for Federal medical variances (waivers/exemptions), you must obtain the proper paperwork from the Federal Motor Carrier Safety Administration to ensure that your driver is medically compliant. These variances are used in conjunction with the Federal physical, form 649-F (Medical Examination Report for Commercial Driver Fitness Determination), and not the 19-A physical, form DS-874 (Examination to Determine Physical Condition of Driver Under Article 19-A).  
**\*\*\*Note: Even if your driver has a Federal Vision Waiver, your driver is not qualified to drive a school bus under Article 19A.**
- g. **Medical Follow Ups** - Form DS-874 and form 649-F show the same information and general requirements. However, the requirements regarding qualifications for drivers with diabetic and/or blood pressure conditions differ. Diabetic medical follow ups conducted by the driver's personal physician are required every 6 months for all diabetic bus drivers under 19-A. Medical follow ups may be conducted using form DS-703 (for blood pressure) or form DS-704 (for diabetes). Make sure you are using the appropriate form for the driver's medical condition.



***Important Note:** The medical examiner may require other types of follow ups if certain medical conditions are present, or if additional medical tests are being requested.*

## **2. A Biennial Behind-The-Wheel Road Test (complete form DS-875)**

You are required to perform a biennial behind-the-wheel road test on your driver (at least once every 24 months). The biennial behind-the-wheel road test will be due within two (2) years from the date of hire for your driver and every 2 years thereafter. The date the biennial behind-the-wheel road test is due will depend on the date you obtained the prior procedure.

For example:

- Hire date 2/1/09, biennial behind-the-wheel road test due on or before 2/1/11
- Biennial road test conducted on 1/15/11, next road test due on or before 1/15/13

The following guidelines will assist you in completing the behind-the-wheel road test:

- The road test must be conducted by a Certified Examiner.
- Fill out form DS-875 completely. Make sure it is signed and dated by the Certified Examiner.

- The behind-the-wheel road test may be conducted during your driver's normal work day schedule. However, the test should be taken **without** passengers in the vehicle.
- The road test must be conducted in a vehicle that is representative of the type of license class your driver holds. For example: if your driver holds a Class B license, the road test must be conducted in a Class B type vehicle.
- The road test **cannot** be performed on the same day as, or combined with, the Annual Defensive Driving Performance observation.

### 3. **A Biennial Oral/Written Test (complete form DS-875Q)**

You are required to perform a biennial oral/written test on your driver (at least once every 24 months). The biennial oral/written test will be due within two (2) years from the date of hire for your driver and every 2 years thereafter. The date the oral/written test is due will depend on the date the prior oral/written test was given. For example:

- Hire date 5/1/09, biennial oral/written test due on or before 5/1/11
- Biennial oral/written test conducted on 3/30/11, next oral/written test due on or before 3/30/13

The following guidelines will assist you in completing the oral/written test:

- The test must be conducted by a Certified Examiner.
- Fill out form DS-875Q completely. Make sure it is signed and dated by both the Certified Examiner and the driver.
- The test is administered as an open book test. You will provide the driver with a current copy of the New York State Driver's Manual, the Commercial Driver's Manual **and** a copy of Part 6 of the Commissioner's Regulations so the driver can complete the required testing in a monitored environment.
- If the Certified Examiner is giving an oral exam, the Certified Examiner is limited to reading only the questions and possible answers.

The Certified Examiner who conducts your testing must also have copies of the following forms, which are used when administering the oral/written test:

- DS-875X (Instructions to Certified Examiner for Conducting Article 19-A Biennial Examinations)
- DS-875Y (Article 19-A Oral/Written Examination Results)
- DS-875Z (Article 19-A Written Examination Answer Sheet) – this form **cannot** be downloaded, but is available to Certified Examiners upon request. Send a request by fax to the Bus Driver Unit at (518) 474-0593.

### D. **MISCELLANEOUS RECORDS**

The following types of additional documents/letters must be included in your driver's file **and** must be retained for a period of three years plus the current year:

- Qualification letters
- Disqualification letters
- Requalification letters
- Criminal history clearance letters
- Correspondence regarding compliance under Article 19-A

## SECTION 4: ANNUAL AFFIDAVIT OF COMPLIANCE

All motor carriers are required to certify that they are in compliance with 19-A regulations by July 1st of each year. To meet this requirement, carriers must file an Article 19-A Annual Affidavit of Compliance. Along with the annual affidavit, a carrier must also file an Article 19-A Motor Carrier Annual Statistical Report to provide information about the previous year's transportation. The statistical report includes the number of bus miles traveled by buses a carrier operated and the total number of accidents and convictions incurred by the drivers.

Around April of each year, the Bus Driver Unit will notify you that the Article 19-A Annual Affidavit of Compliance and the Article 19-A Motor Carrier Annual Statistical Report are to be completed online. Instructions for completing the Affidavit and Statistical Report can be found in the **19-A User Guide**, located under the **Help** menu option (this is a drop down menu) on the **Carrier Details** page of the Online 19-A System (see Figure 1).



*Important Note: **Do not** mail these forms. All electronic carriers must file online. You **cannot** complete these forms until the Bus Driver Unit officially notifies you by e-mail that they are available on your online account.*

## SECTION 5: REPORTING CARRIER CHANGES

You are required to notify the Bus Driver Unit whenever there is a change to your carrier information. Your notification ensures that all communication from the Bus Driver Unit to your business is properly sent and received.

The following business updates need to be reported to the Bus Driver Unit by fax, mail, or email (see page 20 for contact information):

- Address change (physical address or mailing address)
- Phone and/or fax number change
- Change in carrier type (for example: non-school carrier type changing to a school carrier type)
- Change of liaison to your online account (this notification must be sent via e-mail to busdriverunit@dmv.ny.gov)
- Contract information changes
- Any other important business changes to your company

## SECTION 6: CONTRACTORS

Motor carriers who have contractual agreements with a school district or other contractor **must** file form **DS-870.1 (Article 19-A School District/Other Contract Notice)** with the Bus Driver Unit by fax, mail, or email (see page 20 for contact information). Information regarding criminal matters, accidents, convictions or the license status of your driver is not only sent to you, but is also forwarded to your contractor.

## SECTION 7: OUT OF BUSINESS REPORTING REQUIREMENTS

If your company is out of business and/or you are no longer operating a transportation service that needs to be regulated under Article 19-A, you **must** report your close of business to the Bus Driver Unit.

The following checklist will assist you in the “close of business” process:

- ✓ Provide an out-of-business letter from an authorized carrier representative to the Bus Driver Unit by fax, mail, or email (see page 20 for contact information).
- ✓ Surrender plate registration(s) for vehicles under 19-A to DMV.
- ✓ Electronically drop all drivers from your current roster.

## SECTION 8: FORMS

To access forms online, visit <http://www.dmv.ny.gov/motor-carriers/information-and-forms-article-19>. If you would like to read Article 19-A of the NYS Vehicle and Traffic Law and the Commissioner's Rules and Regulations, see form DS-700 (Article 19-A of the Vehicle and Traffic Law and Part 6 of the Regulations of the Commissioner of Motor Vehicles). If you do not have access to the internet, please contact the Bus Driver Unit at (518) 473-9455/FAX (518) 474-0593 and the forms will be sent to you.

<b>Form</b>	<b>Description</b>
DS-19	Article 19-A Motor Carrier Accident and Conviction Notification Program Application (Escrow Account & Driver's Privacy Protection Act Compliance)
DS-3.6	Employee Driving History
DS-500	Article 19-A Request for NYS Client ID Number
DS-600	Request for NYS Fingerprinting Services Information Form
DS-700	Article 19-A of the Vehicle and Traffic Law and Part 6 of the Regulations of the Commissioner of Motor Vehicles
DS-703	Article 19-A Bus Driver's Blood Pressure Follow Up By Driver's Health Care Provider
DS-704	Article 19-A Bus Driver's Diabetic Follow Up By Driver's Personal Physician
DS-870	Article 19-A Bus Driver Application
DS-870.1	Article 19-A School District/Other Contract Notice
DS-871	Article 19-A Driver Notification to Employer
DS-872	Carrier's Annual Review Of Employee's Driving Record Under Article 19-A
DS-873	Report On Annual Defensive Driving Performance For Driver Under Article 19-A
DS-874	Medical Examination Report Of Driver Under Article 19-A
DS-874C	Supplement To Medical Examination Of Driver Report Under Article 19-A
DS-875	Article 19-A Biennial Behind The Wheel Road Test
DS-875Q	Article 19-A Biennial Oral/Written Examination
DS-875X	Instructions To Certified Examiner For Conducting Article 19-A Biennial Oral/Written Examinations
DS-875Y	Article 19-A Oral/Written Examination Results
DS-879	Article 19-A Carrier Application

## Glossary of Article 19-A Motor Carrier Types and Terms

**Article 19-A:** Sections 509-a through 509-o of the NYS Vehicle and Traffic Law enacted to further highway safety by creating standards for the qualification of bus drivers.

**Certified Examiner:** An individual who has met eligibility requirements under Section 6.13 of the Commissioner's Regulations and who has been certified by the Department of Motor Vehicles. Duties of the certified examiner include, but are not limited to, testing and evaluation for the annual Defensive Driving Performance Test, Biennial Behind-The-Wheel Road Test, and the Biennial Oral/Written Examination.

**Liaison:** The person who will be the point of contact between the motor carrier and the Bus Driver Unit for the 19-A Online (electronic) System. The liaison manages and performs functions associated with the Online System. The liaison also has the ability to create additional user accounts and grant users the privilege to read and/or modify a carrier's record.

**Motor Carrier:** Any person, corporation, municipality, or entity (public or private), who directs one or more bus drivers and who operates a bus wholly within or partly within and partly without this state in connection with the business of transporting passengers for hire or in the operation or administration of any business, or place of vocational, academic or religious instruction or religious service for persons under the age of twenty-one or persons of any age who are mentally disabled including nursery schools, day care centers and camps, or public agency, except such out-of-state public or governmental operators who may be exempted (Section 509-n of the Vehicle and Traffic Law) from the provisions of this article by the commissioner through regulation promulgated by the commissioner.

**Non-School Motor Carrier:** A carrier that (1) is required to obtain approval from the New York State Department of Transportation or the U.S. Department of Transportation to operate in the state as a common or contract carrier of passengers by motor vehicle (2) or is regulated as a bus line by a city that has adopted an ordinance, local law or charter to regulate or franchise bus line operations pursuant to Section 80(4) of the New York State Transportation Law; (3) or is regulated as a van service or other common carrier of passengers by motor vehicle covered under Article 7 of the New York State Transportation Law by a city with a population of over one million pursuant to an ordinance or local law adopted pursuant to Section 80(5) of the New York State Transportation Law; (4) or is operated by a transit authority or municipality and is used to transport persons for hire. Provided, however, that "bus" shall not mean an authorized emergency vehicle operated in the course of an emergency, or a motor vehicle used in the transportation of agricultural workers to and from their place of employment.

**Part 6 of the Commissioner's Regulations:** This Section implements the purpose of Article 19-A, and provides a comprehensive guide to enable a motor carrier to comply with the requirements of Article 19-A.

**Pre-Employment Procedures:** A carrier must obtain a driver's license abstract of driving record and a medical examination report prior to completing the DS-870 (Bus Driver Application).

(continued)

**School Motor Carrier:** A carrier that (1) is owned by a public or governmental agency or private school and operates to transport pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or is privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities or (2) operates a bus with a seating capacity of 11 or more adult passengers in addition to the driver and which is used for the transportation of persons under the age of twenty-one or persons of any age who are mentally or physically disabled to a place of vocational, academic or religious instruction or religious service including nursery schools, day care centers and camps.

**School and Non-School Motor Carrier:** A carrier that provides a combination of non-school and school transportation.

**Testing and Investigation (T & I) Unit:** A unit within the NYS Department of Motor Vehicles whose staff is responsible for auditing the safety procedures that the motor carrier and certified examiner must conduct on drivers.

<b>CONTACT INFORMATION</b>	
Mailing Address:	NYS DMV Bus Driver Unit 6 Empire State Plaza Room 136B Albany, NY 12228
Phone:	(518) 473-9455
Fax:	(518) 474-0593
Email:	busdriverunit@dmv.ny.gov