



NEWS RELEASE

From New York State Inspector General
Catherine Leahy Scott

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Contact Bill Reynolds: 518-474-1010

INSPECTOR GENERAL: SNOWMOBILE CLUBS WERE GIVEN FREE VEHICLE REGISTRATIONS IN FULTON COUNTY *Government Registrations Erroneously Issued at No Charge*

New York State Inspector General Catherine Leahy Scott [found](#) that the Fulton County Clerk's Office erroneously issued government registrations to four snowmobile clubs, resulting in more than \$10,000 in uncollected fees over a 10 year period. The Inspector General found that William Eschler, the County Clerk from 1988 through 2013, may have also violated both the county's code of ethics by issuing the free registrations because he did not disclose his membership in any of the clubs in question, as well as his oath of office to uphold the laws of the State of New York.

Fulton County was the only county in New York to allow private snowmobile clubs to register the club-owned snowmobiles as "government" vehicles, thereby avoiding the current state Department of Motor Vehicles (DMV) \$45 combined registration and trail maintenance fees. Eschler's office waived the fees from at least 2004 until he became aware of the Inspector General's investigation in 2012.

"The improper issuance of these government registrations not only cost the state revenue, but was an apparent conflict of interest by the former County Clerk. Under no circumstances should government registrations have been given out free-of-charge to private clubs, particularly after Eschler was aware of the impropriety of his actions. County clerks and county DMV supervisors must be aware of their legal responsibilities with respect to these registrations. I will continue to work with DMV to ensure that clerks and supervisors adhere to the law."

Eschler and a former DMV office supervisor testified that the improper practice was the result of their incorrect belief that club-owned trail maintenance machines could be registered as government vehicles. The Inspector General noted, however, that even after the Fulton County Clerk was notified in 2011 that the practice violated DMV regulations, he allowed it to continue for another year, during which time 34 improper registrations were processed. He discontinued the practice in 2012 when he became aware of the Inspector General's investigation.

Although snowmobile clubs that voluntarily groom trails are not government agencies, they may receive state grant funds for grooming expenses. All four clubs that received the free registrations also applied for and received trail maintenance funds. The free government registration amounted to an additional and inappropriate subsidy. At the time of the Inspector General's investigation, Eschler was a member of one of these clubs and his brother-in-law was an officer in another. Eschler never advised the County Board of Ethics of this potential conflict as required under Fulton County law.

Inspector General Scott recommended that DMV:

- Ensure that Fulton County is properly processing snowmobile and other vehicle registrations;
- Develop a regularly scheduled review of government vehicle registrations to ensure compliance with all procedural requirements; and
- Recover uncollected registration fees.

DMV informed the Inspector General that its new initiative for the certification of eligibility for official license plates addresses the concerns identified in this investigation. As part of the initiative, DMV issued in March 2014 a new form MV-653 for the registration of government vehicles that includes a definition of a governmental entity, but which excludes volunteer organizations such as snowmobile clubs. DMV also advised that it has communicated to current Fulton County Clerk Ann Nickloy the obligation “to collect all required fees – for vehicles and snowmobiles.” In addition, DMV is undertaking to recoup the uncollected fees.

Inspector General Scott referred her findings to the Fulton County Attorney’s Office. A copy of her report can be found [here](#).

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