



STATE OF NEW YORK  
OFFICE OF THE STATE INSPECTOR GENERAL  
**Final Report**  
**February 26, 2008**

**INVESTIGATION PROMPTS CALL TO REVIEW LICENSE**  
**TESTING AT DMV PEEKSKILL OFFICE**

SUMMARY OF FINDINGS/RECOMMENDATIONS

An investigation by the Office of the State Inspector General and the Department of Motor Vehicles (DMV) found that Crystal Moseley, 39, a Motor Vehicle Representative (MVR) in the DMV Peekskill office, violated agency regulations by monitoring and grading a Commercial Driver License (CDL) test taken by her husband. As a result of the probe, Moseley was terminated on July 19, 2007. In a separate matter, it was determined that Jason McCloud, 24, offered an undercover investigator an \$80 bribe for a passing grade on the CDL exam. McCloud was arrested. The Inspector General recommends that DMV determine the validity of the CDL license issued to Moseley's husband and enact measures to safeguard the integrity of all CDL tests.

ALLEGATION

In June 2007, the Inspector General received a complaint from the DMV District Director for the Mid-Hudson region alleging that an unknown man had purchased a CDL from Crystal Moseley for \$100, that Moseley's husband steered CDL test-takers to his wife to obtain passing grades for a fee and that Moseley helped her husband pass his CDL "tanker" certification, a sub test of the general CDL exam.

At the conclusion of the Moseley investigation, two MVRs in the Peekskill office alleged Jason McCloud, a DMV client, had separately approached them to offer money in exchange for a passing grade on the CDL test. They refused and reported the incidents to their supervisors.

SUMMARY OF INVESTIGATION

To obtain a CDL, which is required to operate commercial motor vehicles, an applicant must pass a written general knowledge test administered by DMV. The test consists of 50 questions, and a grade of 80 percent is required to pass. Applicants may

also take “sub” tests, which qualify them to operate specific types of commercial vehicles, such as tractor trailers. DMV administers the tests daily at locations statewide, charging \$10 for the general knowledge test and \$5 for each “sub” test.

## **Moseley**

Moseley was a per diem employee working 20 hours a week. As an MVR, one of her responsibilities was to administer, monitor and grade tests in the examination room. The District Director told the Inspector General’s Office that something about Moseley’s work and behavior “didn’t seem right.” The director suspected that Moseley had manipulated her husband’s CDL “sub” test. Her husband, Timothy Moseley, works for the Peekskill Public Works Department and needed the certification for work.

The District Director further stated that DMV procedures for processing tests and answers are flawed. The tests are accessible to employees who could divulge or sell the answers to the public.

The Inspector General determined that the general knowledge tests are accessible only to supervisors on the computer and are printed daily as needed. After the supervisor logs in and accesses the test, an MVR prints the number of tests needed, separates the answer key attached to each test and administers the exam. The MVR collects and grades the tests, enters scores into the computer and initials the paperwork.

The Inspector General interviewed Crystal Moseley. She told investigators that test takers “cheat all the time,” particularly when they leave the exam area to use the bathroom. But she denied administering and grading her husband’s test. The Inspector General obtained DMV records of Timothy Moseley’s CDL sub test for “tanker” certification conducted on May 31, 2007. Though DMV did not assign Moseley to the examination room that day, documents contain Moseley’s initials, indicating that she monitored and scored her husband’s test. When confronted with this evidence, Moseley admitted that she had graded her husband’s exam. DMV rules and procedures prohibit employees from participating in any family member’s DMV transactions. Moseley was terminated on July 19, 2007. The other allegations concerning Moseley were unsubstantiated and no further action was taken.

## **Bribes for Passing the Test**

Following Moseley’s termination, the Inspector General interviewed two MVRs assigned to the same Peekskill office. They told investigators that a DMV client named Jason McCloud had separately approached them on August 8 and August 9, 2007 and offered money for the answers to the CDL General Knowledge test. The two MVRs declined McCloud’s offer and reported the incident to their supervisors.

The Inspector General and DMV commenced an investigation of this separate allegation. On August 16, a DMV investigator telephoned McCloud and arranged a meeting that day in front of the DMV office. There, McCloud offered the undercover investigator, posing as a MVR, a sum of money for the answer key to the CDL general test. When the investigator accepted, McCloud left, then returned and handed the investigator \$80. The investigator then gave McCloud the test with the answer key. McCloud completed the test and returned it to the investigator. McCloud was arrested and charged with 3<sup>rd</sup> degree Bribery of a Public Servant, a felony. The Peekskill Police Department assisted in the arrest and processing of McCloud.

## FINDINGS AND RECOMMENDATIONS

The Inspector General's investigation substantiated the allegation that Crystal Moseley administered, monitored and corrected her husband's CDL sub test, violating DMV policy. DMV terminated Mosley. Crystal Moseley's actions bring into question the validity of Timothy Moseley's CDL tanker sub-certification. The Inspector General recommends that DMV evaluate the CDL license and sub-certifications issued to Moseley's husband, including, if necessary, a re-testing. The Inspector General did not substantiate allegations that Crystal Moseley sold CDL licenses or altered test grades for money on a regular basis.

The investigation also determined that Jason McCloud gave cash to a covert DMV investigator in exchange for the answers to the CDL exam. McCloud was arrested.

In addition, the investigation revealed that the CDL testing procedures at the Peekskill DMV office are susceptible to corruption and fraud. As this is a serious public safety concern involving commercial drivers on local, state and federal highways, the Inspector General recommends that DMV review and analyze the CDL test process. In particular, DMV should consider restricting access to answer sheets and eliminating "breaks" during exams. It should also train DMV employees on the importance of legitimate driver tests for public safety and remind employees of the penalties for inappropriate contact with test-takers.

DMV advised the Inspector General's office that it will review the recommendations and that the termination of Crystal Moseley "addresses the personnel integrity issue."