

SUPPORTING STATEMENT
FOR
23 CFR PART 1327 PROCEDURES FOR PARTICIPATING IN AND RECEIVING
INFORMATION FROM THE NATIONAL DRIVER REGISTER
OMB CONTROL NO. 2127-0001

JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Attach a copy of the appropriate statute or regulation mandating or authorizing the collection of information.

The National Driver Register Act of 1982, Title 49 U.S.C., Chapter 303 (as amended) requires the chief driver licensing official of a state to report to the National Driver Register (NDR) identification information regarding any individual who is denied a motor vehicle operator's license for cause, whose motor vehicle operator's license is withdrawn for cause, or who is convicted of certain serious motor vehicle related offenses (specified in the Act) or comparable offenses. States also are required to submit an inquiry to the NDR on all applicants for driver's licenses. In addition, states are required to submit inquiries to the NDR and provide responses to other authorized users of the NDR for transportation safety purposes. 23 CFR Chapter 1327 contains the procedures for participating in and receiving information from the National Driver Register. This collection of information supports the Department of Transportation's strategic goal of *safety*, which is to promote the public health and safety by working toward the elimination of transportation-related deaths and injuries.

2. Indicate how, by whom, and for what purpose the information is to be used. Indicate actual use of information received from the current collection.

The information collected by the NDR is used by state chief driver licensing officials for driver licensing and driver improvement purposes and by the following groups who are authorized to receive information for transportation safety purposes:

- a. Employers of motor vehicle operators,
- b. Employers of locomotive operators,
- c. Federal Aviation Administration regarding applications for or holders of airman's certificates,
- d. U. S. Coast Guard regarding applicants for or holders of licenses, certificates of registry, or merchant mariner's documents, and for Coast Guard crew members,
- e. National Transportation Safety Board and Federal Motor Carrier Safety Administration in connection with accident investigations, and
- f. Air carriers regarding individuals seeking employment as pilots.

Individuals also may request, under the provisions of the Privacy Act of 1974, a copy of any information pertaining to themselves that may be on the NDR file.

3. Describe whether the collection of information involves the use of technological collection techniques or other forms of information technology.

One of the provisions of the NDR Act of 1982 was that the improved NDR system be designed to enable 100% electronic communication. To meet this provision, the NDR implemented the Problem Driver Pointer System (PDPS) which offers states the following electronic communication options for submitting information to the NDR:

- . Interactive communication,
- . File Transfer Protocol for batch transmissions, and
- . Magnetic tapes for batch transmissions

Most of the states use interactive communication for their routine transactions with the NDR. This allows them to submit the required information automatically at the same time the individual's information is entered into the state's system. Specifically, when an individual applies for a driver's license, an inquiry is transmitted to the NDR automatically when the driver's application is entered into the state's system. Likewise, when a state records license actions that have been taken against an individual, a report is automatically generated to the NDR, submitting the individual's identification information.

A few states use File Transfer Protocol (FTP) for reporting to the NDR. This file transfer method requires a small amount of manual effort in that a computer job has to be run in order to submit the transactions.

To ensure that the information contained in the NDR is accurate, states sometimes submit a "clean file" which is a confirmation of all drivers of that state who should be listed in the NDR file. States use FTP or magnetic tapes to submit this information, and a small amount of effort is required to prepare and run the data.

4. Describe efforts to identify duplication. Show specifically why similar information cannot be used.

The NDR is the only nationwide repository of "problem drivers;" that is, those individuals whose driving privileges have been withdrawn for cause or who have been convicted for certain serious traffic violations. It, therefore, does not duplicate any other system. The information contained in the NDR is not available elsewhere in a central database. The only other means for users of the NDR to determine if an individual has a problem driving record would be to query all 50 licensing jurisdictions and the District of Columbia. Congress established the NDR to eliminate the need for states to contact each of the other 50 jurisdictions, and the District of Columbia individually.

5. If the collection of information burden does not involve small businesses or other small entities, describe the methods used to minimize burden.

The collection of information burden does not involve small businesses. It only involves the entity which effects official driver licensing actions against individuals. This entity is the state driver licensing agency.

6. Describe the consequences to Federal program or activities if the collection is not conducted or conducted less frequently.

The primary objective of the NDR is to assist states in keeping problem drivers off the nation's highways, thus improving traffic safety. If this collection of data, which is required by statute, is not conducted or conducted less frequently, problem drivers may go undetected and impose a danger on the roads.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines set forth in 5 CFR 1320.6.

There are no special circumstances that require the data to be collected in a manner inconsistent with these guidelines.

8. Provide a copy of the FEDERAL REGISTER document soliciting comments on extending the collection of information, a summary of all public comments responding to the notice, and a description of the agency's actions in response to the comments. Describe efforts to consult with persons outside the agency to obtain their views.

See Attachment 3 for the FEDERAL REGISTER notice soliciting comments on extending the collection of information. The notice was published on March 4, 2009, Vol. 74 page 9475. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors and grantees.

No payment or gift will be provided to any respondent.

10. Describe any assurance of confidentiality provided to respondents.

The information in the NDR is subject to the provisions and requirements of the Privacy Act of 1974 and the NDR Act of 1982. States that provide information to the NDR and the individuals to whom it pertains have the assurance that the information is accorded privacy protection in accordance with the requirements of these statutes.

11. Provide additional justification for any question on matters that are commonly considered private.

Not applicable. There are no questions of this nature in the NDR collection of data. NDR collects data for driver control and transportation safety purposes, as mandated by the enabling legislation. Only identification data is collected on problem drivers. The substantive data concerning the specific traffic violations is kept by the state, and when there is a match with an individual listed in the NDR, the NDR “points” to the state that holds the substantive data. The inquirer may then obtain the details of the traffic violations directly from the state of record.

12. Provide estimates of the hour burden of the collection of information on the respondents.

The number of respondents per year is 51- the fifty states and the District of Columbia. The estimated total burden on the respondents is 4157 hours per year as follows:

- . Submitting transactions via file transfer protocol 12 hours
- . Submitting periodic clean files 48 hours
- . Submitting other authorized user inquiries 4157 hours.

The estimated annual cost associated with the burden hours is \$140,638, representing salaries and related expenses for computer/systems employees to perform the tasks necessary to transmit the information.

13. Provide estimates of the total annual cost to the respondents or record keepers. Other than that shown above, there is no other annual burden to the respondents as a result of this information collection requirement.

14. Provide estimates of annualized cost to the Federal Government.

The mission of the NDR is to maintain a repository of the information submitted by the states on problem drivers; and to process inquiries submitted by the states to obtain information on those drivers. The estimated annual cost to the Federal Government to carry out these responsibilities is \$2,500,000.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

The estimate for burden hours increased from 2859 to 4157. The increase is a net result of 68% increase in the number of other authorized user inquiries.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

Not applicable. Results of this information collection are not published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

No such approval is being sought.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-I.

No exceptions to the certification statement are made.

COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

Statistical methods are not employed for this collection of information.