

DEPARTMENT OF TRANSPORTATION

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INFORMATION COLLECTION SUPPORTING STATEMENT

**TITLE OF COLLECTION: 23 CFR Part 1327 Procedures for Participating In and Receiving Information from the National Driver Register**

**OMB CONTROL NUMBER: 2127-0001**

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INTRODUCTION

**This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, 23 CFR Part 1327 Procedures for Participating In and Receiving Information from the National Driver Register.**

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**Part A. Justification**

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1. *Explain the circumstances that make the collection of information necessary. Attach a copy of the appropriate section of each statute and 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any individual who is denied a motor vehicle operator's license for cause, whose motor vehicle operator's license is withdrawn for cause, or who is convicted of certain serious motor vehicle related offenses (specified in the Act) or comparable offenses.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 and, reducing the economic and personal toll of traffic crashes to society.

2. *Indicate how, by whom, and for what purpose is the information it to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.*

The purpose of the information collection is to improve traffic and transportation safety by providing a nationwide clearinghouse of problem drivers. The information collected is used

by State driver licensing agencies to identify problem drivers prior to issuing a driver license and to develop and implement driver improvement programs. The information collected is also used by employers and Federal agencies in making hiring and certification decisions. - The following groups are also 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,
- f. Air carriers regarding individuals seeking employment as pilots, and
- g. Individuals seeking access to national security information or who are being investigated for Federal employment.

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

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

The NDR Act of 1982 required 100% electronic data exchange between NDR and the States. Electronic data exchange was implemented in 1990. In March 2011, NDR launched a new modernized system using an Oracle relational database. The new Problem Driver Pointer System (PDPS) utilizes a server-based environment consisting of multiple CPU configurations to meet demand and allows authorized users to electronically submit and retrieve data efficiently, effectively, and economically. States use interactive communication for their routine transactions with the NDR which 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 automatically transmitted to the NDR 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 that require reporting to NDR, a transaction is automatically generated and transmitted to the NDR, submitting the individual's identification information. File Transfer Protocol (FTP) is used for batch transmission of data. 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 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 any similar information already available cannot be used or modified for use for the purposes described in item 2 above.*

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 serve as the central repository of information on “problem drivers” promoting information sharing among States and eliminating the need for states to contact each of the other 50 jurisdictions, and the District of Columbia individually.

5. *If the collection of information impacts small businesses or other small entities, describe any 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 consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

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 of information to be conducted in a manner inconsistent with the guidelines in 5CFR 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 notice 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.*

The Federal Register notice that solicited public comments for a 60-day period was published on March 28, 2012 (FR 77 18880). No comments were received.

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

No payment or gift will be provided to any respondent.

10. *Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.*

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 questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other 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 50 states and the District of Columbia). The estimated total burden on the respondents is 2,847 hours per year as follows: Submitting periodic clean files 48 hours - Submitting other authorized user inquiries 2,799 hours. The estimated annual cost associated with the burden hours is \$69,956, representing salaries and related expenses for computer assistant/support technicians to perform the tasks necessary to transmit the information. The Problem Driver Pointer System has been re-designed to be scalable for future needs and growth. The server based environment consists of a multiple CPU configuration and is able to flex up and down to meet demand allowing increased capacity.

13. *Provide an estimate of the total annual cost burden to respondents or record keepers from the collection of information.*

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 funding level for FY12 is \$2.5M. In FY13 and beyond funding should increase in accordance with best practices for information technology investments. NDR is a mission-critical information technology system and must comply with current and future security requirements. Additionally, requirements by agency and departmental CIO offices are a continuing challenge to fund as information technology initiatives and requirements are difficult to plan for. Other costs of operating the NDR are increasing due to demands of federal and State users -- internal information technology operational expenses, implementation of OMB Mandated Security Initiatives and operational expenses for the communications network provider to the States, the American Association of Motor Vehicle Administrators (AAMVA).

*15. Explain the reasons for any program changes or adjustments reported in questions 12 or 13.*

The estimate for burden hours decreased from 4,157 to 2,847. The National Driver Register (NDR) successfully launched the modernized Problem Driver Pointer System (PDPS) on March 27, 2011. The new architecture and system enhancements have substantially reduced the burden hours and cost of processing Privacy Act requests submitted by the States and inquiries by Federal agencies, allowing personnel to complete the transaction more effectively and efficiently. The system creates a response letter automatically, once the file search has been completed, producing a high quality document which requires less staff intervention. Additional enhancements being studied include the option for an individual to submit their request for an NDR file search, via the Internet, directly to the agency. This enhancement should account for a further reduction in the burden hours and cost in the future.

*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 the 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 "Certification for Paperwork Reduction Act Submissions."*

No exceptions to the certification statement are made.