U.S. Department of Transportation

Privacy Impact Assessment

Federal Motor Carrier Safety Administration

FMCSA

Safe Driver Apprenticeship Pilot Program

SDAPP

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Executive Summary

The Federal Motor Carrier Safety Administration (FMCSA) is an Operating Administration within the U.S. Department of Transportation (DOT). Its core mission is to reduce commercial motor vehicle (CMV) related crashes and fatalities. The FMCSA Office of Research will be conducting a pilot program, entitled "Safe Driver Apprenticeship Pilot" (SDAP) Program, which seeks to demonstrate the safety benefits or risks posed by allowing drivers aged 18, 19, and 20 years old (termed "apprentices") to operate in interstate commerce through an apprenticeship program. The SDAP will grant an exemption from regulatory requirements for a Commercial Driver's License (CDL) holder to be 21 years of age prior to operating in interstate commerce for participating carriers and drivers. The pilot program will collect data on these drivers until they reach age 21 and no longer require an exemption to operate in interstate commerce.

All apprentices will need to complete a background information form as well as sign an informed consent form agreeing to have their driving and safety performance data collected by FMCSA throughout the program. Apprentices may voluntarily choose to leave the program at any point, and FMCSA will cease collecting their data for this study. The SDAP will run for a maximum of three years, after which the data collected will be aggregated and used to determine safety performance of participating apprentices. This safety performance will be evaluated against comparison data from FMCSA's existing data systems, such as the Motor Carrier Management Information System (MCMIS)[1].

To conduct this study, FMCSA will contract with a research team that will collect motor carrier applications, driver applications, and safety performance data from apprentices. The research team will collect personally identifiable information (PII) from apprentices, which will be used to review their qualifications for participation, to identify and contact apprentices as needed, and to monitor their safety performance during their participation in the SDAP. No PII will be used during the analysis or reporting phase, and participants will only be referred to from that point by a unique identifier. This Privacy Impact Assessment (PIA) discusses the risks associated with the SDAP program.

What is a Privacy Impact Assessment?

The Privacy Act of 1974 articulates concepts for how the federal government should treat individuals and their information and imposes duties upon federal agencies regarding the collection, use, dissemination, and maintenance of personally identifiable information (PII). The E-Government Act of 2002, Section 208, establishes the requirement for agencies to conduct privacy impact assessments (PIAs) for electronic information systems and collections. The assessment is a practical method for evaluating privacy in information

[1] See https://ai.fmcsa.dot.gov/default.aspx for more information on FMCSA's existing data collection systems.

DOT Privacy Office - Approved 07 27 2022

systems and collections, and documented assurance that privacy issues have been identified and adequately addressed. The PIA is an analysis of how information is handled to—i) ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy; ii) determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system; and iii) examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.[2]

Conducting a PIA ensures compliance with laws and regulations governing privacy and demonstrates the DOT's commitment to protect the privacy of any personal information we collect, store, retrieve, use and share. It is a comprehensive analysis of how the DOT's electronic information systems and collections handle personally identifiable information (PII). The goals accomplished in completing a PIA include:

- *Making informed policy and system design or procurement decisions. These decisions must be based on an understanding of privacy risk, and of options available for mitigating that risk;*
- *Accountability for privacy issues;*
- *Analyzing both technical and legal compliance with applicable privacy law and regulations, as well as accepted privacy policy; and*
- *Providing documentation on the flow of personal information and information requirements within DOT systems.*

Upon reviewing the PIA, you should have a broad understanding of the risks and potential effects associated with the Department activities, processes, and systems described and approaches taken to mitigate any potential privacy risks.

Introduction & System Overview

The mission of FMCSA's Office of Analysis, Research, and Technology (ART) is to reduce the number and severity of CMV involved crashes and enhance the safety and efficiency of CMV operations by:

1. Conducting systematic studies directed toward fuller scientific discovery, knowledge, or understanding; and
2. Adopting, testing, and deploying innovative driver, carrier, vehicle, and roadside best practices and technologies.

In support of this mission, and as required by Section 23022 of the Infrastructure Investment and Jobs Act (IIJA) [3], also known as the Bipartisan Infrastructure Law (BIL), FMCSA's Office of ART will be conducting the SDAP to allow 18- to 21-year-old drivers ("apprentices") to operate CMVs in interstate commerce though an established apprenticeship program.

[2]Office of Management and Budget's (OMB) definition of the PIA taken from guidance on implementing the privacy provisions of the E-Government Act of 2002 (see OMB memo of M-03-22 dated September 26, 2003).
[3] https://www.congress.gov/117/plaws/publ58/PLAW-117publ58.pdf

DOT Privacy Office - Approved - 07 27 2022

Under this program, these apprentices will complete two probationary periods, during which they may operate in interstate commerce only under the supervision of an experienced driver in the passenger seat. An experienced driver is defined in Section 23022 as a driver who is not younger than 26 years old, who has held a CDL and been employed for at least the past two years, and who has at least five years of interstate CMV experience and meets the other safety criteria defined in the IIJA.

The first probationary period must include at least 120 hours of on-duty time, of which at least 80 hours are driving time in a CMV. To complete this probationary period, the employer must determine competency in:

1. Interstate, city traffic, rural 2-lane, and evening driving;
2. Safety awareness;
3. Speed and space management;
4. Lane control;
5. Mirror Scanning;
6. Right and left turns; and
7. Logging and complying with rules relating to hours of service.

The second probationary period must include at least 280 hours of on-duty time, including not less than 160 hours driving time in a CMV. To complete this probationary period, the employer must determine competency in:

1. Backing and maneuvering in close quarters;
2. Pre-trip inspections;
3. Fueling procedures;
4. Weighing loads, weight distribution, and sliding tandems;
5. Coupling and uncoupling procedures; and
6. Trip planning, truck routes, map reading, navigation, and permits.

After completion of the second probationary period the apprentice may begin operating CMVs in interstate commerce unaccompanied by an experienced driver.

The data collection system will consist of five data collection components:

1. Motor Carrier Applications.
2. Experienced Driver Applications.
3. Apprentice Driver Applications.
4. Apprentice Driver Benchmark Certifications.
5. Activity and Safety Data.

The motor carrier, experienced driver, and apprentice driver applications will be used for the sole purpose of ensuring applicants are qualified to participate in the SDAP. Motor carrier applications will not contain PII, but experienced and apprentice driver applications will contain PII. Apprentice drivers will be assigned a unique participant ID which will be utilized to collect their benchmark certifications as well as their monthly safety and performance data. Participant IDs will be used to link monthly safety and performance data to PII only when

DOT Privacy Office - Approved 07 27 2022

necessary to identify the driver for purposes of issuing an exemption or revoking an exemption, as authorized in FMCSA's pilot program regulations (49 USC 31315)[4].

Analysis on monthly safety and performance data will be conducted only on aggregated, de-identified data to analyze the safety performance of apprentice drivers against a comparison group of intrastate CMV drivers as well as against current national safety performance rates for CMV drivers. The data collected will be used to report on the following items, as required by section 23022:

1. The findings and conclusions on the ability of technologies or training provided to apprentices as part of the pilot program to successfully improve safety;
2. An analysis of the safety record of participating apprentices as compared to other CMV drivers;
3. The number of drivers that discontinued participation in the apprenticeship program before completion;
4. A comparison of the safety records of participating drivers before, during, and after each probationary period; and
5. A comparison of each participating driver's average on-duty time, driving time, and time spent away from home terminal before, during, and after each probationary period.

The final report containing an overview of the study, including limitations, findings, and recommendations, will be publicly available through FMCSA's website as well as the National Transportation Library.

Motor Carrier Application

Any motor carrier can apply to participate in the SDAP. The applications will be subject to review and approval by FMCSA based on the qualifications for participation announced in the publication of FMCSA's Federal Register notice (FRN) published on January 14, 2022, entitled "Safe Driver Apprenticeship Pilot Program to Allow Persons Ages 18, 19, and 20 to Operate Commercial Motor Vehicles in Interstate Commerce" (87 FR 2477)[5]. If more carriers apply than can be safely accepted and monitored, FMCSA reserves the right to select carriers based on stratification by carrier size, geographic location, or other meaningful variables to the analysis.

The motor carrier application will collect the following information about the motor carrier's operations:

- Carrier name;
- Carrier's USDOT number;
- Phone number;
- E-mail address;
- Physical address;
- Type of operations (Interstate vs Intrastate);

DOT Privacy Office - Approved: 07 27 2022

[4] https://www.govinfo.gov/content/pkg/USCODE-2011-title49/pdf/USCODE-2011-title49-subtitleVI-partB-chap313-sec31315.pdf
[5] https://www.federalregister.gov/d/2022-00733

- Approximate fleet size;
- CDL Class of employed drivers;
- Driver turnover rate;
- States that are operated in;
- Compensation structure;
- Average annual miles traveled;
- Number of experienced drivers currently employed as well as an estimate of the number of apprentices the carrier may hire;
- Registered Apprenticeship number through the Department of Labor's (DOL) Registered Apprentice (RA) program;
- The types of technology employed on CMVs;
- Types of carrier operations (i.e., rail/intermodal, long haul, truckload, short haul, less than truckload, or other); and
- Types of CMVs employed.

Additionally, carriers will need to provide information on the types of safety events they are able to track through the onboard monitoring system (OBMS), such as hard-braking, lane departures, speeding, and others, as well as what the threshold value is for these systems.

Motor carriers who are approved to participate in the SDAP will be provided unique login credentials to submit the rest of the data required for this study, including PII on the driver applications.

Experienced Driver Applications

Approved motor carriers will need to submit applications on behalf of experienced drivers. These applications will collect PII and will only be utilized to verify that an experienced driver meets the requirements, as set forth in Section 23022 of the BIL as well as FMCSA's FRN announcing the pilot program (87 FR 2477)[6]. The data collected in this application will include:

- Name;
- Gender;
- Date of Birth (DOB);
- CDL Number;
- CDL State of Issuance;
- Employment history for the previous two (2) year period;
- Date of CDL issuance;
- Years of experience driving a CMV;
- Safety history; and
- Whether they currently operate under an exemption from any FMCSA regulations.

Once an experienced driver has been approved, the experienced driver will receive a unique identifier to track each carrier's number of available experienced drivers to pair with apprentice drivers. No further data will be collected on experienced drivers.

[6] https://www.federalregister.gov/d/2022-00733

DOT Privacy Office - Approved- 07 27 2022

Apprentice Driver Applications

Approved motor carriers with available experienced drivers will then submit applications on behalf of apprentice drivers. These applications will collect the following information, which contains PII:

- Name;
- Gender;
- DOB;
- CDL or CLP number;
- CDL or CLP State of issuance;
- Date of CDL or CLP issuance;
- Years of experience driving intrastate;
- Description of any professional training received;
- Current driving profile, if applicable (e.g., average weekly on-duty and driving times, average time spent away from home);
- Acknowledgement of SDAP restrictions.

PII will only be utilized for the following purposes, which require the driver's name and CDL number:

1. Ensure the driver is qualified to participate as an apprentice using the Commercial Driver's License Information System (CDLIS).
2. Issue a letter to the driver and motor carrier authorizing that specific driver to operate under the carrier's exemption from FMCSA's regulation regarding the minimum age for CDL holders to operate in interstate commerce.
3. Identify the driver as a valid apprentice driver in FMCSA's secure web portal, Query Central.
4. Remove the driver from the program if they fail to follow SDAP procedures and/or have been identified as posing a safety hazard.

Once an apprentice has been approved, they will be assigned a unique identification number for purposes of tracking their safety and performance data throughout their participation in the study.

Apprentice Driver Benchmark Certifications

Participating motor carriers will be required to submit a certification form that apprentice drivers have successfully demonstrated the required safety benchmarks.

After their first probationary period, which must consist of at least 120 hours of on-duty time and at least 80 hours of driving time in a CMV with an experienced driver in the passenger seat, the motor carrier must submit a form certifying they have determined the apprentice is competent in the following areas:

1. Interstate, city traffic, rural 2-lane, and evening driving;
2. Safety awareness;
3. Speed and space management;
4. Lane control;
5. Mirror Scanning;

DOT Privacy Office-Approved - 07 27 2022

6. Right and left turns; and
7. Logging and complying with rules relating to hours of service.

After the second probationary period, which must consist of at least 280 hours of on-duty time, including at least 160 hours driving time in a CMV with an experienced driver in the passenger seat, the motor carrier must submit a form certifying they have determined the apprentice is competent in the following areas:

1. Backing and maneuvering in close quarters;
2. Pre-trip inspections;
3. Fueling procedures;
4. Weighing loads, weight distribution, and sliding tandems;
5. Coupling and uncoupling procedures; and
6. Trip planning, truck routes, map reading, navigation, and permits.

These forms will not collect PII. They will be collecting utilizing the apprentice driver's unique identifier.

Activity and Safety Data

Participating motor carriers will need to upload safety and performance data for every participating apprentice on a monthly basis. This data will include:

- Miles and hours driven during the reporting period.
- Time on duty during the reporting period.
- Time spent away from home terminal during the reporting period.
- Detailed description of any safety events during the reporting period.
- Detailed information on any USDOT reportable crashes, moving violations, and motorist incident reports during the reporting period.
- The total number of inspections and inspection violations during the reporting period.
- Any post-crash investigations, post-crash drug and alcohol tests, and police accident reports for reported incidents.

Carriers will submit this data using the apprentice's unique identifier, although some data may contain PII, such as crash investigation reports. Information that contains PII will be de-identified and cleansed during quality checks of the data as it is submitted.

Fair Information Practice Principles (FIPPs) Analysis

The DOT PIA template is based on the fair information practice principles (FIPPs). The FIPPs, rooted in the tenets of the Privacy Act, are mirrored in the laws of many U.S. states, as well as many foreign nations and international organizations. The FIPPs provide a framework that will support DOT efforts to appropriately identify and mitigate privacy risk. The FIPPs-based analysis conducted by DOT is predicated on the privacy control families articulated in the Federal Enterprise Architecture Security and Privacy Profile (FEA-SPP) v3[7], sponsored by the National Institute of Standards and Technology (NIST), the Office of Management and Budget (OMB), and the Federal Chief Information Officers Council and

[7] http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf

DOT Privacy Office Approved - 07 27 2022

the Privacy Controls articulated in Appendix J of the NIST Special Publication 800-53 Security and Privacy Controls for Federal Information Systems and Organizations[8].

Transparency

Sections 522a(e)(3) and (e)(4) of the Privacy Act and Section 208 of the E-Government Act require public notice of an organization's information practices and the privacy impact of government programs and activities. Accordingly, DOT is open and transparent about policies, procedures, and technologies that directly affect individuals and/or their personally identifiable information (PII). Additionally, the Department should not maintain any system of records the existence of which is not known to the public.

The FMCSA does not secretly collect or store PII. The FMCSA clearly discloses its policies and practices concerning the PII collected and held associated with the implementation of this system. FMCSA has established a public-facing programmatic website explaining the authorities and purpose for the SDAP, which can be found at https://www.fmcsa.dot.gov/safedriver/. The website includes a comprehensive Frequently Asked Questions (FAQ) page that addresses the most common questions received and will be updated throughout the program. The website will be updated as appropriate throughout the duration of the SDAP.

Furthermore, FMCSA has issued several notices in the Federal Register seeking public comment on this program. The initial notice proposing an under 21 pilot program was published on September 10, 2020 and received 202 comments (85 FR 55928)[9]. A final notice announcing the pilot program was published on January 14, 2022, which also addressed the comments received on the initial notice (87 FR 2477)[10].

On January 7, 2022, FMCSA announced that it was seeking emergency approval from the Office of Management and Budget (OMB) for clearance of a new Information Collection Request (ICR) associated with this program (87 FR 1001)[11]. This notice received 142 comments, which will be addressed in a 60-day notice for public comment that will be published during FMCSA's pursuit of full OMB approval. OMB granted an emergency clearance on January 24, 2022, with control number 2126-0075 which expires on July 31, 2022.

FMCSA informs participants on how their PII is stored and used as part of the SDAP program through this PIA, published on the DOT website. This document identifies the

DOT Privacy Office Approved - 07/27/2022

[8] http://csrc.nist.gov/publications/drafts/800-53-Appdendix-J/IPDraft_800-53-privacy-appendix-J.pdf
[9] https://www.federalregister.gov/d/2020-19977
[10] https://www.federalregister.gov/d/2022-00733
[11] https://www.federalregister.gov/d/2022-00063

purpose of the program, FMCSA's authority to collect, store, and use participant's PII, along with all uses of the PII stored and transmitted throughout the SDAP. The SDAP PIA is available on the Departmental Privacy Program webpage, https://transportation.gov/privacy/.

Records in SDAP are retrieved by the individual's name and other personal identifiers are subject to the provisions of the Privacy Act. FMCSA maintains these records in accordance with the Department's published System of Records Notice (SORN), DOT/FMCSA 013, Safe Driver Apprenticeship Program. The SORN provides notice as to the conditions of disclosure and FMCSA's routine uses for the information collected in the system.

Individual Participation and Redress

DOT provides a reasonable opportunity and capability for individuals to make informed decisions about the collection, use, and disclosure of their PII. As required by the Privacy Act, individuals should be active participants in the decision-making process regarding the collection and use of their PII and they are provided reasonable access to their PII and the opportunity to have their PII corrected, amended, or deleted, as appropriate.

Interested apprentices must apply to participate in the program through an approved motor carrier. These potential apprentices will be made fully aware of what participation entails, including the collection and use of their PII and additional data. Apprentices will be informed of their right to privacy and the intended use of their PII through an Institutional Review Board (IRB) approved informed consent form, which will be signed and submitted with their application for participation. The IRB is an ethical committee which reviews research study protocols and procedures to ensure studies are conducted in an ethical manner while protecting the safety and privacy of a study's participants.

FMCSA will provide access to data collected on a participant (to include application, performance benchmark certifications, and monthly data submitted from the carrier) should a participating driver request it. Participants may only request and receive their own data. Requests can be made by the drivers by email to safedriver@dot.gov. FMCSA will need to confirm the identity of the requestor before releasing any data.

Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of DOT by complying with DOT Privacy Act regulations found in 49 CFR Part 10. Privacy Act requests for access to an individual's record must be in writing (either handwritten or typed), and may be mailed, faxed, or emailed. DOT regulations require that the request include a description of the records sought, the requester's full name, current address, and date and place of birth. The request must be signed and either notarized or submitted under penalty of perjury. Additional

DOT Privacy Office Approved 07 27 2022

information and guidance regarding DOT's FOIA/PA program may be found on the DOT website (https://www.transportation.gov/privacy). Privacy Act requests concerning information in the SDAP may be addressed to:

Nicole Michel, Mathematical Statistician
Federal Motor Carrier Safety Administration
U.S. Department of Transportation 1200 New Jersey Avenue, SE Washington, DC 20590
202-366-4354
SafeDriver@dot.gov

Purpose Specification

DOT should (i) identify the legal bases that authorize a particular PII collection, activity, or technology that impacts privacy; and (ii) specify the purpose(s) for which it collects, uses, maintains, or disseminates PII.

Section 23022 of the IIJA requires the Secretary of Transportation to establish an apprenticeship pilot program for individuals under the age of 21 to operate in interstate commerce. Participating apprentices must be accompanied by an experienced driver until they have successfully completed two probationary periods. This legislation requires the pilot program to be established in accordance with 49 USC 31315. These two pieces of legislation serve as the legal basis for the SDAP and its associated data collection.

Additional legal authorities for this study are:

- Title 49 U.S.C. §504 titled, "Reports and records."
- Title 49 U.S.C. §31133 titled, "General powers of the Secretary of Transportation."
- Title 49 U.S.C. §31136 titled, "United States Government regulations."
- Title 49 U.S.C. §31502 titled, "Requirements for qualification, hours of service, safety, and equipment standards."
- Title 49 CFR §1.87 titled, "Delegation to the Federal Motor Carrier Safety Administrator."
- Title 49 CFR §381.400 titled, "What is a pilot program?"

Data Minimization & Retention

DOT should collect, use, and retain only PII that is relevant and necessary for the specified purpose for which it was originally collected.

DOT Privacy Office - Approved - 07/27/2022

All data collected on participants in this pilot program will be submitted electronically using a secure file transfer protocol, which will protect data files as they are transmitted to the research team. The data will then be stored on a secure server at the research team's facility which complies with FMCSA's IT standards, as described in the "Security" section of this document.

Once data has been transmitted to the research team, the data will be reviewed for quality and completeness. After an initial review of the data, two databases will be maintained. One database will contain the information received from the driver application forms, including participant's PII. This database will also assign a random participant ID number to each driver. A separate database will be maintained that will collect safety performance data, consisting of the safety performance benchmark certifications and the activity and safety data provided by motor carriers. This second database will refer to individual drivers using their participant ID number only. No PII will be stored in this database. All analysis and reporting will be done utilizing this second database, which contains only "de-identified data".

Only those data elements necessary to verify the eligibility of the drivers, monitor their performance, monitor compliance with the program parameters, and analyze their performance are collected. The following pieces of PII will be collected for this program:

- Name – Participant names are necessary to identify eligible drivers and to verify a driver's identity if they submit a request for their data.
- CDL or CLP Number – This information is necessary to verify the eligibility of the applicant and to enable the research team to (a) provide random safety checks throughout the program to ensure continued eligibility and (b) identify SDAP participants as having a valid exemption for law enforcements and investigative officers.
- Date of Birth – This information is necessary to ensure that study participants meet the age requirements of the program and to include age as a factor in the statistical analysis performed.
- Home Address – This information is needed for FMCSA to validate a driver's CDL or CLP information and to verify a driver's identity if they submit a request for their data.
- Gender – This information is being collected as part of the safety analysis, as gender has been shown in other studies to impact safety performance of drivers.

Any computer code used to de-identify the data will be destroyed within one year of the completion of the pilot program and the submission of the FMCSA report to Congress. All data collected during this study will be transferred to FMCSA after the pilot program for

DOT Privacy Office - Approved 07/27/2012

retention permanently until an appropriate Records Control Schedule (RCS) is approved. A copy of the data collected in this pilot program will be transferred to FMCSA's secure data repository for retention. A public-use data set which is de-identified (i.e., contains no PII) will be made publicly available on FMCSA's website.

Use Limitation

DOT shall limit the scope of its PII use to ensure that the Department does not use PII in any manner that is not specified in notices, incompatible with the specified purposes for which the information was collected, or for any purpose not otherwise permitted by law.

The PII collected in this study will be used only for authorized research purposes. It will be collected in a manner that is consistent with the standards set forth by the IRB. No PII will be utilized in the reporting of data or results and PII will not be shared with anyone outside of FMCSA and the authorized research individuals who have clearance under the IRB approval.

Data Quality and Integrity

In accordance with Section 552a(e)(2) of the Privacy Act of 1974, DOT should ensure that any PII collected and maintained by the organization is accurate, relevant, timely, and complete for the purpose for which it is to be used, as specified in the Department's public notice(s).

Data quality and integrity will be maintained throughout the SDAP through several protocols. First, carriers that choose to participate in the SDAP must agree to transmit data to the research team using the secure web portal on a monthly basis. Carriers that fail to transmit data for three consecutive months will be removed from the program. Carriers who frequently fail to submit data in a timely manner, or fail to submit complete data, may also be removed at the discretion of FMCSA. This limits the potential for gaps in data and for carrier errors in attempting to compile multiple months of data at one time.

Secondly, access to the data will be limited to a small number of authorized users on the research team. Only research team members and FMCSA staff responsible for monitoring the pilot study will have access to all data, and those analyzing the data will have access to the de-identified data. Personnel at the motor carriers employing the apprentices will not have access to the data unless they are actively involved in the program in either a direct analytical, administrative, or supervisory role. Carriers will only have access to the data they submitted on the apprentices which they employ.

Data quality and integrity will also be maintained through regular monthly reporting of interim results to FMCSA. Producing summary statistics at this frequency will alert the research team to any data that appears to be erroneous. This will give the research team the opportunity to address any issue with the data collection that may be causing the problem.

DOT Privacy Office - Approved - 07.27.2022

Lastly, data quality and integrity will be maintained by refraining from performing any analysis on the source data files transmitted by the carriers. This will prevent the possibility of mistakenly altering or corrupting the data. Source data will be stored separately from data that is actively being used for analysis and reporting and will be backed up on a secured hard drive.

Security

DOT shall implement administrative, technical, and physical measures to protect PII collected or maintained by the Department against loss, unauthorized access, or disclosure, as required by the Privacy Act, and to ensure that organizational planning and responses to privacy incidents comply with OMB policies and guidance.

PII is protected by reasonable security safeguards against loss or unauthorized access, destruction, usage, modification, or disclosure. FMCSA has a comprehensive security program that contains management, operational, and technical safeguards that are appropriate for the protection of PII. These safeguards are designed to achieve the following objectives:

- Ensure the security, integrity, and confidentiality of PII.
- Protect against any reasonably anticipated threats or hazards to the security or integrity of PII.
- Protect against unauthorized access to or use of PII.

The research team's facility has a Memorandum of Understanding (MOU) in place that complies with FMCSA IT procedures. These procedures include:

- Employing internal access controls to ensure that the only people who see the pilot program data are those with a need to do so to conduct the pilot program.
- Training relevant personnel on privacy and security measures.
- Securing the areas where hard copies of information are stored, if applicable.
- Performing regular backups of the information collected to insure against loss of data.
- Using technical controls to secure the information collected, including but not limited to:
    - Secure Socket Layer (SSL),
    - Encryption,
    - Firewalls, and
    - User ID and password protections.
- Periodically testing security procedures to ensure personnel and technical compliance.

DOT Privacy Office - Approved 07 27 2012

- Employing external access safeguards to identify and prevent unauthorized attempts of outsiders to hack into, or cause harm to, the information collected.

During the SDAP, confidentiality of PII will be protected by de-identifying monthly safety and activity data when submitted by the motor carriers. Once the relevant demographic variables related to PII are derived, records associated with any individual driver will utilize a pseudonym for purposes of performing analyses, reporting results, and monitoring the program. Files containing PII will be stored separately from the data used for analysis. Computer codes or algorithms used to de-identify the data will likewise be stored separately to protect privacy.

Accountability and Auditing

DOT shall implement effective governance controls, monitoring controls, risk management, and assessment controls to demonstrate that the Department is complying with all applicable privacy protection requirements and minimizing the privacy risk to individuals.

Many of the privacy protocols outlined in this PIA rely on actions taken by the research team. These include de-identifying drivers, storing data containing PII in separate files on secure servers so that the files cannot be combined to identify participants, and storing any algorithm or hash function used to de-identify data in a separate, secured location. Other security controls will be ensured through the features of the database tools use to collect and store data, which may include encrypting or password protecting data as it is transmitted, physically securing the location of data, as well as ensuring individual database files are encrypted and password protected as appropriate.

Additionally, FMCSA follows the Fair Information Principles as best practices for the protection of information associated with the SDAP. In addition to these best practices, policies and procedures are consistently applied, especially as they relate to protection, retention, and destruction of records. Federal and contract employees are given clear guidance in their duties as they relate to collecting, using, processing, and securing data. The FMCSA Security Officer and FMCSA Privacy Officer conduct regular periodic security and privacy compliance reviews of their contractors, consistent with the requirements of OMB Circular A-130, Managing Information as a Strategic Resource.

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