



U.S. Department of Transportation

Privacy Impact Assessment

**Federal Motor Carrier Safety Administration
Office of Analysis, Research, and Technology**

Military Under-21 Pilot Program

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Executive Summary

The U.S. Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) core mission is to reduce commercial motor vehicle-related crashes and fatalities. The FMCSA Office of Research will conduct a pilot program to determine the safety benefits or risks posed by allowing military service members aged 18, 19, and 20 with specialized training in heavy vehicle operations to engage in interstate commerce compared to current entry-level commercial motor vehicle drivers aged 21-24 when operating a freight-carrying commercial motor vehicle (CMV) in interstate commerce. The pilot program will also seek to compare safety performance of 18, 19, and 20 year old military licensed drivers operating interstate with current under-21 commercial drivers who operate in intrastate commerce. The pilot program 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 a small group of persons aged between 18 and 21 who have received specialized military training and experience in heavy vehicle operations. The pilot program will also collect data on current entry-level drivers (aged 21-26) operating in interstate commerce and current under 21 intrastate drivers.

All drivers who participate in the pilot program will complete a background information form as well as a signed informed consent form agreeing to have their driving and safety performance data collected by FMCSA throughout the pilot program. Drivers may voluntarily choose to leave pilot program at any point, and FMCSA will cease collecting their data for this study. Once driving and safety data has been collected, it will be aggregated by the three driver groups: (1) 18, 19, and 20-year old military CDL holders operating in interstate commerce, (2) 21-24 year old CDL holders operating in interstate commerce, and (3) under 21-year old CDL holders operating in intrastate commerce. The aggregated data will be used to determine safety performance levels of each group (e.g., crash rates per miles of driving). These safety performance levels will then be compared across the three groups through methods such as analysis of variance.

To conduct this study, FMCSA will contract with a research team ("the research team") that will collect background information from drivers and carriers, driving information, and safety information from study participants. The research team will also collect personally identifiable information (PII) from drivers, which will be used to identify and contact participating drivers and monitor their safety outcomes during the pilot program. No PII will be used during the analysis or reporting phase, and participants will only be referred to from that point on by a unique identifier. This Privacy Impact Assessment details the risks associated with the pilot 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 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.¹

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

¹Office 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).

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 Research is to reduce the number and severity of CMV-involved crashes and enhance the safety and efficiency of CMV operations by:

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

In support of this mission and as required by Section 5404 of the Fixing America's Surface Transportation Act, 2015 (FAST Act), FMCSA's Office of Research will conduct a pilot program to allow 18- to 21-year-old persons with military driving experience to operate CMVs in interstate commerce. The pilot program seeks to determine the safety benefits or risks posed by military service members aged 18, 19, and 20 with specialized training in heavy vehicle operations operating a freight-carrying CMV in interstate commerce as compared to current entry-level commercial motor vehicle drivers aged 21-24 when operating a freight-carrying CMV in interstate commerce. The goal of this study is to determine whether the group of under-21 military CDL holders operating in interstate commerce have similar or better safety performance outcomes than the 21-24 year old entry level drivers operating in interstate commerce.

During the pilot program, which is slated to run for a maximum of three years, the safety records and driving data of participating drivers will be collected from participating carriers (an estimated 70 carriers providing data on (1) approximately 200 military trained 18- to 21-year old CDL holders operating in interstate commers, (2) approximately 200 drivers aged 21-24 operating in interstate commerce, and (3) approximately 200 drivers aged 18-21 operating in intrastate commerce . During the data collection period and afterward, the data from each group will be analyzed for trends regarding driver background and safety performance (using de-identified data) as well as aggregated data of each group being compared through an analysis of variance among the groups. Within one year following the completion of the pilot program, the Secretary of Transportation will forward recommendations to Congress describing the findings of the pilot program and the recommendations of a working group to be established.

Carrier Recruitment and Authorization

Motor carriers will apply to the research team to participate in the pilot program. Depending on interest levels, motor carriers will also be recruited by FMCSA using multiple methods (social media, personal outreach, federal register postings, etc.). Carriers may also be recruited through industry organizations such as the American Trucking Association and the Truckload Carriers Association, among others. These organizations will be asked to post notices

about the pilot program on their websites, trade publications, and to make announcements at conferences and events. Lastly, motor carriers will be recruited through direct outreach by FMCSA to company representatives.

Carriers seeking to participate in the pilot program must meet the following standards:

- Must have proper operating authority, if required, and registration;
- Must have the minimum required levels of financial responsibility;
- Must not be a “high” or “moderate” risk motor carrier, as defined by FMCSA (81 FR 11875);
- Must not have a “conditional” or “unsatisfactory” safety rating;
- Must not have any open or closed enforcement actions within the past 6 years;
- Must not have a crash rate above the national average;
- Must not have a driver out-of-service rate above the national average; and,
- Must not have a vehicle out-of-service rate above the national average.

Additionally, participating carriers must agree to comply with the following requirements during their participation:

- Complete and submit an application;
- Agree to supply control group drivers in numbers equal to participating drivers under 21;
- Train covered drivers on the Federal Motor Carrier Safety Regulations;
- Install and operate electronic logging devices on all vehicles operated by study and control group drivers;
- Agree to comply with all pilot program procedures;
- Agree to submit required pilot program data reports monthly;
- Monitor and report safety records of participant and control group drivers as FMCSA requires; and
- Maintain a good safety record in accordance with the prescribed program criteria.

For additional information on participating, carriers may visit <https://www.fmcsa.dot.gov/under21pilot/under-21-pilot-program> or view the Federal Register Notice titled “Proposed Pilot Program to Allow Persons Between the Ages of 18 and 21 With Military Driving Experience to Operate Commercial Motor Vehicles in Interstate Commerce” (83 FR 31633).

Driver Recruitment and Authorization

Once approved by FMCSA, carriers will recruit drivers to participate in the pilot program. Carriers will recruit at least one 18-, 19-, or 20- year old military CDL holder, as well as at least one driver from either the 21- to 24-year-old interstate group or the under 21-year-old intrastate group. Drivers will be required to submit a background information form, as well as sign an informed consent form to participate in the pilot program. The research team will provide these forms to the carrier, who will work with the participating drivers to complete the forms and send them back to the research team. The informed consent form explains to the participant what they are agreeing to (what data will be provided, how data will be used, their rights as a pilot program participant) and a driver must sign the form acknowledging that they understand the research study they are participating in. The background information form will contain information on a driver’s training, experience, as well as demographic data (such as age, gender, and military experience). The individual drivers will submit these forms to the carrier, who will then submit all forms to the research team. By participating in this program, drivers agree to allow the carrier to send records on their driving history (miles, hours driven, shift days, etc.) and their safety performance (crashes, safety critical events, etc.) throughout their participation. Drivers may voluntarily choose to leave the pilot program at any time.

The under 21 intrastate drivers and drivers aged 21-24 operating in interstate commerce must hold a valid CDL to participate in the pilot program. Military personnel holding a valid CDL who are over 18-years old and under 21-years old must have specified training in a designated military occupational specialty (MOS) that ensures they have received training and experience on a heavy vehicle similar to a CMV. More details on their participation requirements can be found in Appendix A.

FMCSA will grant an exemption to participating carriers for drivers aged between 18 and 21 who have received specialized military training and experience in heavy vehicle operations from regulatory requirements for a Commercial Driver's License (CDL) holder to be 21 years of age prior to operating in interstate commerce.

The information collected as part of the pilot program is necessary to: (1) determine the eligibility of drivers to participate in the pilot study, as there are requirements on age and military status for some drivers; (2) effectively implement and monitor the pilot study, given that participating under-21 military drivers will be participating with an exemption; (3) contact drivers if necessary throughout the pilot program (e.g., for follow-on questions or clarification on data), and (4) to conduct analysis on the safety performance of the participating drivers. The following information will be collected from participants as part of the Pilot Program;

The following data will only be used for purposes of verifying eligibility, monitoring drivers during the pilot study, and contacting drivers if necessary during their participation in the pilot program:

- Driver's name
- Driver's license number
- Military driver's license number

The following data will be used during the analysis of safety outcomes, but only after it has been de-identified and is not linked to a specific driver's name, license number, or address. Driver's will be assigned a random participating ID, which will be used for all analysis and reporting of the data. These items have been shown to potentially effect a driver's safety performance in other research studies:

- Driver's age (calculated from driver's date of birth)
- Driver's gender
- Medical information centered on FMCSA regulations and health impacts that have been shown to be correlated to crash risks
 - If the driver wears contact lenses or glasses,
 - If the driver has sleep apnea or use a Continuous positive airway pressure (CPAP) machine,
 - If the driver has diabetes and if they are taking medication for it,
 - If the driver has high blood pressure and if they are taking medication for it,
 - If the driver has insomnia and are taking medication for it
- Information on the driver's caffeine and nicotine consumption
- If the driver has a valid medical certificate

Additionally, FMCSA will collect information necessary to gauge the depth and breadth of participating drivers' experience operating a heavy vehicle. This background information form will collect information on the types of vehicles they have operated, the types of vehicle systems drivers have experience operating (e.g. full air brake system, air-over-hydraulic braking system, automatic or manual transmission, etc.), and a driver's military

experience. Information on military experience includes branch of service, military unit, service dates, occupational specialty, and type of discharge if applicable. This information may be de-identified and used in analysis if it is determined to have an affect on safety outcomes. It may also be aggregated and used to describe the composition of the sample of driving groups that participated in the pilot program. For under-21 intrastate drivers and drivers aged 21-24 operating in interstate commerce, FMCSA will be accepting these drivers as their forms are provided. Since both of these groups are currently eligible to operate in the manner they will be operating throughout the pilot program (i.e., these groups are not receiving a waiver or exemption to operate in a specific manner for the pilot program), FMCSA will not have any additional acceptance criteria for these drivers. The research team will perform a random check of a sample of these participants' CDLs to ensure they are valid, but once a driver has returned the forms to the carrier, who has submitted the forms to FMCSA, drivers in these groups will be considered approved for participation.

For military drivers aged 18-,19-, or 20-years-old, they will be considered approved for the pilot program once they receive their letter to operate under the carrier's exemption from regulatory requirements for a Commercial Driver's License (CDL) holder to be 21 years of age prior to operating in interstate commerce.

Pilot Program Data Collection

Once a carrier has been accepted into the pilot and has submitted background information forms and signed informed consent forms for participating drivers, the carrier must submit data for these drivers on a monthly basis throughout the length of the pilot program. In addition, the carrier must notify FMCSA if a driver leaves the carrier or chooses to no longer participate in the pilot program. Carriers will submit data on each participating driver's miles driven, hours driven, types of cargo hauled, number of inspections, number of violations (inspection and moving), and safety incidents (to include DOT and non-DOT reportable crashes as well as safety critical events, if available). The carrier will submit this data electronically in their preferred format (most carriers will have this data readily available in their records, instead of filling out a form developed by the research team to minimize burden) using a secure file transfer site set up by the research team. This will allow the research team to conduct analysis on the safety performance of each group of drivers.

How the Pilot Program will work

Once carriers and drivers have been accepted into the pilot program, the research team will collect safety and driving data from the carrier on participating drivers on a monthly basis. Additionally, the research team will be randomly checking the status of participating driver's CDLs through the Commercial Driver's License Information System (CDLIS) to ensure driver's are maintaining a valid CDL and have not experienced any disqualifying events. The research team will send FMCSA personnel a status report every month highlighting potentially unsafe drivers (by participant ID), which will aid FMCSA in determining whether to remove a participating driver from the pilot program, which is authorized in Title 49 Code of Federal Regulations (CFR) 381.400 ("Pilot programs must include . . . procedures to protect the health and safety of study participants and the general public.").

The research team will conduct analysis on an ongoing basis throughout the pilot program and will produce an interim report of findings after eighteen months. If the pilot program is continued for the full three year period, an additional report of findings will be produced at the conclusion of the pilot program. These reports will inform a working group, as required by the FAST Act, and will also inform the Secretary of Transportation's letter to Congress on the findings from the pilot program. All analysis performed on safety data will be done in a de-identified manner using randomly assigned participant identification numbers.

At the conclusion of the pilot program, the data collected for this pilot program will be re-located from the research team to FMCSA's research data repository for potential use in future research efforts.

Fair Information Practice Principles (FIPPs) Analysis

The DOT PIA template 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) v3², 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 the Privacy Controls articulated in Appendix J of the NIST Special Publication 800-53 Security and Privacy Controls for Federal Information Systems and Organizations³.

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.

FMCSA has established a robust program website explaining the authorities and purpose for the Pilot Program at <https://www.fmcsa.dot.gov/under21pilot>. The website provides information to drivers and carriers about the program including a comprehensive FAQ that addresses the most common questions received. The website will be updated as appropriate throughout the Pilot Program.

The FMCSA has issued multiple Notices in the Federal Register seeking public comment on the program. The initial request for public comment on the proposed pilot program was made in August 2016 (81 FR 56745)⁴ and an updated program description, which also addressed comments received on the original proposal, was published in July 2018 (83 FR 31633)⁵. In July 2018, the FMCSA issued a federal register notice seeking public comment on the agency's proposed information collection request (ICR) for the Pilot Program (83 FR 31631)⁶, which proposed a 3-year period (maximum) of information collection to determine (1) whether the safety outcomes of drivers, under the age of 21 with military experience, operating heavy vehicles in interstate commerce are like the safety outcomes of drivers between the ages of 21 to 24, and (2) how training and experience impact the safety of the 18 to 20-year-old driving population. In November 2018, FMCSA published a 30-day notice in the Federal Register (83 FR 60950) and has submitted the ICR to the Office of Management and Budget (OMB) for approval.⁷ FMCSA anticipates that records used as part of the study will be managed and protected in accordance with its Privacy Act notice, [DOT/FMCSA 001 - Motor Carrier Management Information System \(MCMIS\)](#) - 78 FR 59082, and will make a

² <http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf>

³ http://csrc.nist.gov/publications/drafts/800-53-Appdendix-J/IPDraft_800-53-privacy-appendix-J.pdf

⁴ <https://www.federalregister.gov/d/2016-19948>

⁵ <https://www.federalregister.gov/d/2018-14025>

⁶ <https://www.federalregister.gov/d/2018-14028>

⁷ <https://www.federalregister.gov/d/2018-25846>

final determination regarding applicability prior to pilot initiation. This PIA will be updated as necessary to reflect any changes in Privacy Act coverage.

FMCSA informs participants how their PII is stored and used by the Pilot Program through this Privacy Impact Assessment, published on the DOT website. This document identifies the information collection's purpose, FMCSA's authority to collect, store, and use the PII, along with all uses of the PII stored and transmitted throughout the pilot program. The Military Under 21-Pilot Program PIA is available at on the Departmental Privacy Program web page – <https://transportation.gov/privacy>.

Individual Participation and Redress

DOT should provide 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 be provided reasonable access to their PII and the opportunity to have their PII corrected, amended, or deleted, as appropriate.

Potential drivers must apply to participate in the pilot study and will be made fully aware of what participation entails – including the collection and use of their PII and additional data. Participants will be informed of their right to privacy and the intended use of their PII through an Institutional Review Board (IRB) approved consent form. The IRB is a committee which reviews research study protocols and procedures to ensure studies are conducted in an ethical manner and protect the safety and privacy of a study's participants. This pilot program has received IRB approval through the research team's oversight process.

FMCSA will provide access to data collected on a participant (to include the background information form and monthly data submitted from the carrier) should that participant request it. Participants may only request and receive their own data. Requests can be made by the drivers by email or telephone to the research team.

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 its collects, uses, maintains, or disseminates PII.

Section 5404 of the FAST Act which requires the Secretary of Transportation to conduct a commercial driver pilot program to "...study the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce," serves as the legal basis for the Pilot Program and associated data collection. A "covered driver" is defined as a member, or former member, of the armed forces or reserve components between the ages of 18 and 20, who is qualified in a Military Occupational Specialty (MOS) or equivalent term to operate a CMV or similar vehicle. Section 5404 requires the establishment of a data collection program to collect and analyze data regarding crashes involving covered drivers participating in the pilot program and drivers under the age of 21 operating CMVs in intrastate commerce.

Additionally, the 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 should retain PII for only as long as necessary to fulfill the specified purpose(s) and in accordance with a National Archives and Records Administration (NARA)-approved record disposition schedule.

All data collected on participants in the 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 must comply 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 information forms, including participant’s PII, such as name, commercial driver’s license number, and contact information. This database will also assign a random participant ID number to each driver. This database will be maintained separately from the data that will be used for safety performance analysis, such as vehicle miles traveled and safety outcomes submitted by the carrier on a monthly basis. The database containing monthly driving and safety data for each participant will utilize participant ID numbers only. All analysis and reporting will be done utilizing only the database containing participant ID numbers, driving data, and safety performance data (“de-identified data”).

Only those data elements necessary to verify the eligibility of the drivers, monitor their performance, monitor their compliance with the rules for participation in the program, and analyze their performance are collected.

- Name – Participants’ names are necessary to identify eligible drivers. Additionally, this information is necessary to verify a driver’s identity should they request their data.
- Commercial Driver’s License Number or Military Driver’s License Number – This information is needed to verify the eligibility of the participant and to enable the research team to provide random checks throughout the pilot program to ensure a driver’s CDL is still valid.
- Date of Birth – Date of birth is necessary to ensure that study participants meet the age requirements of the Pilot Program. Additionally, driver’s age will be used as a factor in safety performance analysis.
- Home Address – This information is needed for FMCSA to effectively monitor the pilot study, to issue exemptions, and to issue removal notices if needed. Additionally, this may be used to verify a driver’s identity should they request their data.
- Email Address – This information is collected to allow the research team access to contact participating drivers if needed to clarify data or to monitor participation. Additionally, this may be used to verify a driver’s identity should they request their data.
- Telephone Number – This information is collected to allow the research team access to contact participating drivers if needed to clarify data or to monitor participation. Additionally, this may be used to verify a driver’s identity should they request 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.

- Medical Information – Drivers are required to demonstrate that they have the necessary medical clearances to operate a heavy truck and are not operating under or require an exemption from FMCSA. This information will be kept separately from individual identifiers and may be used in analysis if it is determined 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 retention in the secure FMCSA research data repository. A de-identified (to include no PII), public-use data set will be available on the data repository website and the FMCSA 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 will only be used for the authorized research purposes and collected in a manner that is consistent with the standards set forth by the IRB that provides oversight to research efforts. The role of the IRB is to ensure that a participant is treated fairly, ethically, and safely during the pilot program. No PII will be utilized in the reporting of data or results. PII will not be shared with anyone outside of FMCSA and authorized research individuals who have clearance from an authorized IRB.

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 pilot program through several protocols. First, carriers that choose to participate in the pilot study must agree to transmit data to the research team using a secure file transfer protocol site 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 as they attempt to compile multiple months at once.

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 drivers participating in the pilot will not have access to the data unless they are actively involved in the pilot program in either a direct analytical, administrative, or supervisory role. Carriers will only have access to the data they submitted on the participants 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.

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 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 information 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 must comply with FMCSA IT procedures, and is subject to a privacy and security assessment after the contract has been awarded. 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.
- Employing external access safeguards to identify and prevent unauthorized attempts of outsiders to hack into, or cause harm to, the information collected.

During the pilot program, confidentiality of PII will be protected by de-identifying the monthly driving and safety information data 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 used to collect and store data. These 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 pilot program. In addition to these 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 the Office of Management and Budget (OMB) Circular A-130, Managing Information as a Strategic Resource.

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Approval and Signature

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Appendix A – Participation Instructions for the Under 21 Military CDL Pilot Program

There are three driver groups who will participate in the Under 21 Military CDL Pilot Program: covered drivers (military personnel, aged 18, 19, or 20), control group drivers (current interstate drivers, aged 21, 22, 23, or 24), and intrastate drivers (current intrastate drivers, aged 18, 19, or 20). Control group and intrastate drivers will be recruited by participating carriers and must provide an application with their background information and sign an informed consent form to allow the carrier to submit their driving data to the research team.

Covered group drivers must be trained in one of the seven (7) military occupations which are eligible for this pilot. The identified military occupations are:

- Army – 88M/92F,
- Air Force – 2t1/2F0/3E2,
- Navy – EO, and
- USMC – 3531.

A covered driver who is interested in participating in the pilot program must follow these steps to apply:

- 1) Fall within the covered driver criteria including age, be an active or honorably discharged military member who was trained within a designated military occupation;
- 2) Apply for a CDL within their Home-State-of-Record (HSR) using the “Under 21” (U21) Application. This application will provide basic personal information, driver license history and status, and training and licensing provided by his/her military service branch. The application also includes contact information for the applicants commanding officer or designee to verify the information provided on the form;
- 3) In accordance with existing Federal regulations, both the knowledge test and skills test may be waived by the HSR with proper proof of training and experience, verification by the commanding officer or designee and other requirements designated by the HSR;
- 4) The U21 Pilot Program applicant must meet other Federal licensing requirements, including a valid DOT Medical Exam; and
- 5) The HSR will issue a CDL with the “K” restriction (designating the CDL holder as an intra-state driver).

When the U21 Pilot Program is announced, carriers (employers) will apply to FMCSA via the designated website to become designated an approved carrier participating in the pilot program. All carriers applying for the pilot program will be screened for safety scores in accordance with the prescribed criteria (see 83 FR 31633, published on July 6, 2018, for more details).

Once a carrier has been approved to participate in the pilot program, FMCSA will post the carrier information on its U21 Military CDL Pilot Program website. At this point, intrastate and control group drivers will be recruited by approved carriers, and covered drivers may apply directly to the approved carrier. Covered drivers will be required to provide application information for the pilot program and sign an informed consent form for the pilot program, in addition to the carrier’s normal hiring procedures.

The carrier will follow all appropriate Federal Regulations for hiring drivers including pre-screening for drugs, verification of driving record, and verification of current valid medical certificate. Once the carrier determines it will hire the covered driver, the carrier will forward the driver’s background information form and signed informed consent form to FMCSA for inclusion in the pilot program. At that time, FMCSA will issue a letter of exemption for the driver to the carrier. The letter will be carried in the cab of the vehicle driven by the covered driver and made

available to law enforcement when requested. Law enforcement will then be able to verify the validity of the letter and participation in the U21 Military Pilot Program via FMCSA's secure web portal, QueryCentral⁸.

FMCSA will make periodic safety checks on drivers participating in the pilot program, as well as periodic safety checks of the approved carriers. If a driver or carrier is determined to be unsafe or unfit, both the driver and carrier may be removed from the pilot program.

⁸ <https://portal.fmcsa.dot.gov/login>