

**PURPOSES:**

These records are maintained to track the receipt of and/or progress of replies to incoming correspondence. The records also track an electronic copy of incoming and outgoing correspondence.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

To those entities/individuals within DOT and/or another Federal, state, tribal, or local agency, who can aid in responding to the issues and concerns raised in the incoming correspondence. Therefore, the routines uses are compatible with the purpose of collecting the information. See Prefatory Statement of General Routine Uses.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

These records are stored in a database maintained under current FHWA application and hardware security requirements. Designated FHWA employees in each FHWA organization are granted access to the data for the purpose of downloading data to produce reports for local management use. These employees access the database through FHWA's secure intranet. Data downloaded by FHWA organizations may be retained on Local Area Network drives and may be in hardcopy format when required.

**RETRIEVABILITY:**

Records are retrieved by the name of the individuals or groups who wrote the correspondence, the tracking control number, the subject matter, and the date of the incoming document.

**SAFEGUARDS:**

Computer records are maintained in a secure, password-protected computer system. Paper records are maintained in a lockable file cabinet in a lockable room. All records are maintained in a secure, access-controlled area of the building.

**RETENTION AND DISPOSAL:**

The records in this system of records are retained and disposed of in accordance with the approved records disposition schedules in FHWA Order M 1324.1A, Files Management and Records Disposition Manual.

**SYSTEM MANAGER(S) AND ADDRESS:**

Mary Peterson, FHWA Executive Secretariat, 400 Seventh Street, SW., Room 4207, Washington, DC 20590.

**NOTIFICATION PROCEDURE:**

Write to the System Manager.

**RECORD ACCESS PROCEDURES:**

Write to the System Manager. Provide full name and a description of information that you seek, including the time frame during which the records may have been generated.

**CONTESTING RECORD PROCEDURES:**

Write to the System Manager. Identify the information being contested, the reason for contesting it, and the correction requested.

**RECORD SOURCE CATEGORIES:**

The records are obtained from the individuals themselves who send correspondence, faxes or e-mails, etc.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

Dated: November 21, 2006.

**Steven Lott,**

*Departmental Privacy Officer.*

[FR Doc. E6-20114 Filed 11-27-06; 8:45 am]

**BILLING CODE 4910-62-P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****Privacy Act of 1974: System of Records**

**AGENCY:** Federal Motor Carrier Safety Administration, DOT.

**ACTION:** Notice to establish a system of records.

**SUMMARY:** DOT intends to establish a system of records under the Privacy Act of 1974.

**EFFECTIVE DATE:** January 12, 2007. If no comments are received, the proposal will become effective on the above date. If comments are received, the comments will be considered and, where adopted, the documents will be republished with changes.

**FOR FURTHER INFORMATION CONTACT:**

Departmental Privacy Officer, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Washington, DC 20590, (202) 366-1314 (telephone), (202) 366-7373 (fax), [Steven.Lott@dot.gov](mailto:Steven.Lott@dot.gov) (Internet address).

**SUPPLEMENTARY INFORMATION:** The Department of Transportation system of records notice subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, has been published in the **Federal Register** and is available from the above mentioned address.

**SYSTEM NUMBER: DOT/FMCSA 06****SYSTEM NAME:**

SAFETYNET.

**SECURITY CLASSIFICATION:**

Unclassified, sensitive.

**SYSTEM LOCATION:**

Records are located at Federal Motor Carrier Safety Administration (FMCSA) field offices throughout the United States as well as the offices of State agencies responsible for the enforcement of interstate and intrastate motor carrier operations within their jurisdiction.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM OF RECORDS:**

SAFETYNET covers companies and drivers of commercial motor vehicles (CMV) (i.e., trucks with a gross combination weight of 10,001 pounds or more, buses used to transport more than 9 passengers (including the driver), and vehicles transporting hazardous materials). It also includes information on shipping and freight-forwarding companies registered with FMCSA. SAFETYNET systems deployed and operated by State agencies may also contain information on motor carrier companies and operations residing in that State. Specific personal information related to individuals is maintained on:

1. Drivers associated with vehicle inspections and crashes related to the motor carrier companies in the system;
2. FMCSA and State officials with authorized access to SAFETYNET via personally assigned user accounts; and
3. Federal and State Safety Investigators (SI) performing motor carrier enforcement duties.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records and reports in this system may include:

1. *Registration Information:* Includes the USDOT Number, carrier identification, types of vehicles, number of drivers, and commodities carried for motor carriers and hazardous material shippers registered with FMCSA and the State within which the SAFETYNET instance is deployed.
2. *Review and Rating Information:* The SAFETYNET system may contain compliance review records regarding companies' motor carrier operations, safety performance, and adherence to Federal and State regulations.
3. *Inspection Information:* Roadside inspection information about vehicles and drivers, including violations of safety regulations governing the driver, the vehicle, and those specifically related to hazardous materials.
4. *Crash Information:* Individual States collect and maintain information

on recordable motor carrier crashes, which includes date, time and location of crash, investigating agency, weather and road surface conditions, motor carrier ID, driver name, driver license number, power unit identification, and crash outcome, including number of people injured and/or killed.

5. *Complaint Information:* Records of complaints received by Federal and State agencies from various sources against motor carrier companies, their drivers, and/or their operations.

6. *Personal Identifier Information:* Drivers and co-drivers are identified by name, date of birth, and driver license number.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

49 U.S.C. 31136(e), Motor Carrier Safety Act of 1984; 49 U.S.C. 31315, Transportation Efficiency Act for the 21st Century, TEA-21.

**PURPOSES:**

SAFETYNET is used to maintain records of the safety performance of interstate carriers and hazardous materials shippers that are subject to the Federal Motor Carrier Safety Regulations (FMCSR) or Hazardous Materials Regulations (HMR). SAFETYNET also contains information on intrastate carriers (carriers who collect, deliver, or transfer commodities within state boundaries only) that are registered with a State implementing the SAFETYNET system. A large subset of information, collected locally using the SAFETYNET systems, is uploaded to FMCSA centralized systems. Conversely, information collected by other States, and the centralized Federal systems, are distributed to the field-deployed SAFETYNET systems.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

See Prefatory Notice of General Routine Uses.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

No.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Records are stored electronically in databases on physical systems located at FMCSA field offices throughout the United States as well as the offices of State agencies responsible for the enforcement of interstate and intrastate motor carrier operations within their jurisdictions.

**RETRIEVABILITY:**

Records are retrieved by the driver's name, date of birth, vehicle identifier, mailing address, and phone number.

**SAFEGUARDS:**

SAFETYNET information is accessible only to FMCSA and State enforcement personnel with specifically assigned user IDs and passwords. Some limited personnel under contract to FMCSA or State agencies responsible for carrying out enforcement activities or supporting the SAFETYNET system also have access via specifically assigned IDs and passwords. All SAFETYNET IDs and passwords are issued to users only after approval by local SAFETYNET System Managers, or their designees. All Federal and State enforcement related access to SAFETYNET is limited to FMCSA or State internal networks. The upload of data to centralized FMCSA systems is through the FMCSA internal network, specifically designated trusted source networks, or other approved encryption communication protocols. Physical security and access to the hosting facility is managed and maintained by the local SAFETYNET System Manager. FMCSA Division and Service Center offices keep their servers in a secure room. It is the responsibility of each participating state agency to properly secure the server within their facility.

**RETENTION AND DISPOSAL:**

SAFETYNET records are currently undergoing scheduling with the National Archives.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Office of Information Management, FMCSA, 400 7th Street, SW., Washington, DC 20590.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether this system of records contains information pertaining to them should write to the Privacy Officer, Office of Management Information and Services, FMCSA, 400 7th Street, SW., Washington, DC 20590.

**RECORD ACCESS PROCEDURES:**

Same as "Notification procedure."

**CONTESTING RECORD PROCEDURES:**

Same as "Notification procedure."

**RECORD SOURCE CATEGORIES:**

In addition to individual user input through the client/server interface, SAFETYNET collects information from other enforcement systems such as ASPEN, which is roadside CMV inspection software, for vehicle and driver inspections. The SAFETYNET

software may be configured at the State level to interface with and receive data from State inspection, crash, or carrier registration information systems.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**OMB CONTROL NUMBER:**

None.

Dated: November 21, 2006.

**Steven Lott,**

*Departmental Privacy Officer.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Petition for Waiver of Compliance**

In accordance with Title 49 Code of Federal Regulations (CFR) Part 211, notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance from certain Federal railroad safety requirements. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

**Union Pacific Railroad Company**

[Docket Number FRA-2006-25765]

The Union Pacific Railroad Company (UP) seeks a waiver of compliance from certain provisions of Brake System Safety Standards for Freight and Other Non-passenger Trains and Equipment, End of Train Devices, 49 CFR part 232; Freight Car Safety Standards, 49 CFR part 215; and Locomotive Safety Standards, 49 CFR part 229. Specifically, UP requests that the following regulations be waived to permit run-through trains that originate in Mexico and are interchanged with the UP at the Laredo, Texas Gateway, in order to operate into the interior of the United States without having to perform any additional train or locomotive inspections at the U.S./Mexican border: Class I Brake Test—Initial Terminal Inspection, 49 CFR 232.205; Inspection and Test of the End-of-Train Devices, 49 CFR 232.409; Pre-departure Inspection, 49 CFR 215.13; and Daily Inspection, 49 CFR 229.21.

Currently, the Federal Railroad Administration (FRA) requires mechanical inspections and tests for all trains and equipment that enter the United States from Mexico. UP states in its waiver request that these trains are pre-blocked in Mexico and given the