

**§ 1327.7**

**23 CFR Ch. III (4-1-03 Edition)**

- (ii) Other names used (nickname, professional name, maiden name, etc.);
- (iii) Month, day and year of birth;
- (iv) Sex;
- (v) Height;
- (vi) Weight;
- (vii) Color of eyes;
- (viii) Driver license number and/or Social Security Number (SSN) (provision of SSN is optional);
- (ix) Full address;
- (x) Signature;
- (xi) Proof of identification (acceptable forms of identification are driver's license, birth certificate, credit card, employee identification card, and other forms of identification normally accepted by the State); and
- (xii) Notarization (this is required only if the individual chooses to mail the request directly to the NDR).

(3) Individuals are authorized also, under the Privacy Act of 1974, to request such information directly from the NDR.

(4) Individuals seeking to correct an NDR-maintained record should address their request to the chief of the National Driver Register. When any information contained in the Register is confirmed by the State of Record to be in error, the NDR will correct the record accordingly and advise all previous recipients of the information that a correction has been made.

[56 FR 41403, Aug. 20, 1991; 56 FR 57255, 57374, Nov. 8, 1991; 62 FR 27195, May 19, 1997; 62 FR 63657, Dec. 2, 1997; 63 FR 153, Jan. 5, 1998; 64 FR 19272, Apr. 20, 1999]

**§ 1327.7 Procedures for NDR information requests.**

(a) To initiate an NDR file check, an individual who is employed or seeking employment as a motor vehicle operator; who has applied for or received an airman's certificate; who is employed or seeking employment as a locomotive operator; who holds or has applied for a license, certificate of registry, or a merchant mariner's document or is an officer, chief warrant officer, or enlisted member of the U.S. Coast Guard or Coast Guard Reserve; or who is seeking employment as a pilot with an air carrier; shall either:

(1) Complete, sign and submit a request for an NDR file check directly to the chief driver licensing official of a participating State in accordance with procedures established by that State for this purpose; or

(2) Authorize, by completing and signing a written consent, the authorized NDR user to request a file check through the chief driver licensing official of a participating State in accordance with the procedures established by that State for this purpose.

(b) If the authorized NDR user is an employer or prospective employer of a motor vehicle operator, the request for an NDR file check must be submitted through the chief driver licensing official of the State in which the individual is licensed to operate a motor vehicle.

(c) If the authorized NDR user is the head of a Federal department or agency, the request for an NDR file check may be submitted instead directly to the NDR in accordance with procedures established by the NDR for this purpose.

(d) The request for an NDR file check or the written consent, whichever is used, must:

(1) State that the NDR records are to be released;

(2) State as specifically as possible who is authorized to receive the records;

(3) Be signed and dated by the individual (or the individual's legal representative as appropriate);

(4) Specifically state that the authorization is valid for only one search of the NDR; and

(5) Specifically state that the NDR identifies probable matches that require further inquiry for verification; that it is recommended, but not required, that the employer/prospective employer verify matches with the State of Record; and that individuals have the right to request records regarding themselves from the NDR to verify their accuracy.

[64 FR 19273, Apr. 20, 1999]

APPENDIX A TO PART 1327—ABRIDGED LISTING OF THE AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS VIOLATIONS EXCHANGE CODE, USED BY THE NDR FOR RE-CORDING DRIVER LICENSE DENIALS AND WITHDRAWALS

*Code*

DI Driving While Intoxicated Violations Pertaining to Intoxicants	HR2 Failure to stop and reveal identity after involvement in accident resulting in property damage only.
DI1 Driving while under the intoxicating influence of alcohol, narcotics, or pathogenic drugs.	HR3 Leaving the scene of an accident after providing aid or identity but before arrival of police.
DI2 Driving while under the intoxicating influence of medication or other substances not intended to produce intoxication as a result of normal use.	HR4 Evading arrest by fleeing the scene of citation or roadblock.
DI3 Refusal to submit to test for alcohol after arrest for driving while intoxicated or suspicion of intoxication.	HR5 Evading arrest by extinguishing lights (when lights required).
DI4 Illegal possession of alcohol or drugs in motor vehicle.	HR6* Leaving the scene of an accident involving a commercial motor vehicle operated by such person.
DI5* Administrative per se.	HV** Habitual Violator
DI6* Driving while impaired.	Not an AAMVA code. For NDR use only.
DI7* Driving a commercial motor vehicle while under the influence of alcohol or a controlled substance.	MR Misrepresentation
DS Disability	Contributory Violations
DS1 Inability to pass one or more tests required for driver license.	MR1 Misrepresentation of identity or other facts to obtain a driver license. (If registration or title involved, see RT.)
DS2 Operating a motor vehicle improperly because of physical or mental disability.	MR2 Displaying a driver license which is invalid because of alteration, counterfeiting, or withdrawal (revocation, suspension, etc.).
DS3 Failure to discontinue operating vehicle after onset of physical or mental disability (including uncontrollable drowsiness).	MR3 Displaying the driver license of another person.
FA Fatality	MR4 Loaning a driver license.
FA1 Violation of a motor vehicle law resulting in the death of another person.	MR5 Obtaining or applying for a duplicate driver license during withdrawal.
FE Felony	MR6 Misrepresentation of identity or other facts to avoid arrest or prosecution.
FE1 Using a motor vehicle as the device for committing a felony.	RK Reckless, Careless, or Negligent Driving
FE2 Using a motor vehicle in connection with a felony.	RK1 Heedless, willful, wanton, or reckless disregard of the rights or safety of others in operating a motor vehicle, endangering persons or property.
FE3 Using a motor vehicle to aid and abet a felon.	RK2 Operating a motor vehicle without the exercise of care and caution required to avoid danger to persons or property.
FE4* Using a commercial motor vehicle in the commission of a felony.	RK3 Transporting hazardous substances without required safety devices or precautions.
FE5* Using a commercial motor vehicle in the commission of a felony while transporting a hazardous material.	RV Repeated Violations
FR Financial Responsibility	RV1 Recurrence of violations requiring mandatory action of the licensing authority as specified by law.
FR1 Unsatisfied judgment.	RV2 Accumulation of violations resulting in mandatory action of the licensing authority because of statutory point system.
FR2 Failure to meet requirements for the security-following-accident provisions of the FR law.	RV3 Accumulation of violations resulting in discretionary action by the licensing authority.
FR3 Failure to file future proof of financial responsibility following conviction for violation of motor vehicle law.	RV4 Committing serious traffic violation involving a commercial motor vehicle operated by such person.
HR Hit and Run	SP Speeding
Leaving the Scene	SP1 Contest racing on public trafficway.
Evading Arrest	SP2 Prima facie speed violation or driving too fast for conditions.
HR1 Failure to stop and render aid after involvement in accident resulting in bodily injury.	SP3 Speed in excess of posted maximum.
	SP5 Operating at erratic or suddenly changing speeds.
	SP6* Excessive speeding in a commercial vehicle.
	Unsatisfied Judgment (See FR)
	VR Violation of Restriction
	Licensing Requirements

- VR1 Driving while revoked.
- VR2 Driving while suspended.
- VR3 Driving while license denied.
- VR5 Operating without being licensed or without license required for type of vehicle operated.
- VR6 Allowing an unlicensed operator to drive.

\*Recommended to AAMVA in response to a ballot on approval of a revision to the American National Standards Institute (ANSI) D20.1, "States' Model Motorist Data Base".

\*\*Habitual Violator (HV) code was added to the AAMVA Violations Exchange Code by the NDR to accommodate the many States who enacted an HV law after the AAMVA Violations Exchange Code was developed. To be adjudged a Habitual Violator normally requires having been convicted of three major violations.

[56 FR 41403, Aug. 20, 1991; 56 FR 57256, Nov. 8, 1991]

#### APPENDIX B TO PART 1327—OMB CLEARANCE

The OMB clearance number of this regulation is OMB 2127–0001.

### PART 1335—STATE HIGHWAY SAFETY DATA IMPROVEMENTS

Sec.

- 1335.1 Scope.
- 1335.2 Purpose.
- 1335.3 Definitions.
- 1335.4 Coordinating committee.
- 1335.5 Assessment.
- 1335.6 Strategic plan.
- 1335.7 Grant requirements.
- 1335.8 Grant amounts.
- 1335.9 Availability of funds.
- 1335.10 Grant limitations.
- 1335.11 Application procedures.
- 1335.12 Contents of application.

AUTHORITY: 23 U.S.C. 411; delegation of authority at 49 CFR 1.48.

SOURCE: 63 FR 54048, Oct. 8, 1998, unless otherwise noted.

#### § 1335.1 Scope.

This part prescribes the requirements necessary to implement Section 411 of Title 23, United States Code, which encourages States to adopt and implement effective data improvement programs.

#### § 1335.2 Purpose.

The purpose of this part is to improve the timeliness, accuracy, completeness, uniformity, and accessibility

of the data needed by each State to identify highway safety priorities; to evaluate the effectiveness of these improvements; to link highway safety data systems with other data systems within each State; and to improve the compatibility of the data system of each State with national data systems and data systems of other States to enhance the observation and analysis of national trends in crash occurrences, rates, outcomes, and circumstances.

#### § 1335.3 Definitions.

As used in this part:

(a) *Highway safety data and traffic records* means data and records relating to crashes, roadways, drivers, vehicles, traffic offense citations/convictions, emergency medical services, locations and other data and records relating to highway safety.

(b) *Coordinating committee* means a committee that meets the requirements of § 1335.4 of this part.

(c) *Assessment* means a review of a State's highway safety data and traffic records system that meets the requirements of § 1335.5 of this part. For the purpose of this Part, an assessment includes an audit or a strategic planning analysis.

(d) *Strategic plan* means a multi-year plan that meets the requirements of § 1335.6 of this part.

(e) *Model data elements* means the data elements contained in the final Model Minimum Uniform Crash Criteria (MMUCC) published by the National Highway Traffic Safety Administration and the Federal Highway Administration (DOT HS 808 745, August 1998).

(f) *State* means any of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa or the Commonwealth of the Northern Mariana Islands.

#### § 1335.4 Coordinating committee.

A coordinating committee shall—

(a) Include representatives from the administrators, collectors, and users of State highway safety data and traffic records, including representatives of highway safety, highway infrastructure, traffic enforcement, public