



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

OFFICE OF ANALYSIS, RESEARCH, AND TECHNOLOGY

FMCSA Pre-employment Screening Program Web site

Wednesday, June 23, 2010

Webinar Transcript

Presenters

- Michael Johnsen, Environmental Protection Specialist, FMCSA Office of Analysis, Research, and Technology (ART)
- Elizabeth Pemmerl, NIC Technologies, Inc.

Speakers

- Kirse Kelly, Webinar Host, FMCSA ART

Description:

The Pre-Employment Screening Program (PSP) is a new, national-level program designed to offer motor carriers and commercial drivers electronic access to drivers' records from the Motor Carrier Management Information System (MCMIS). A PSP record contains a driver's crash and inspection history to help motor carriers make more informed hiring decisions. The PSP allows motor carrier employers to take the crash and inspection history of drivers into account when deciding on hiring new employees, and also offers drivers the option to view their personal PSP record at any time. Join the Analysis Division's Michael Johnsen for an overview of the PSP program, and for demonstrations of both the motor carrier and commercial driver online services.

The PSP program, required by Congress through the latest transportation reauthorization bill, SAFETEA-LU, is voluntary, and a motor carrier must obtain the driver's written consent prior to requesting a driver's record. PSP data is handled according to all applicable laws and regulations.

PRE-WEBINAR INFORMATION

Kirse Kelly (FMCSA ART):

Thank you Julia, and thanks to all of participating in our webinar today about the Pre-employment Screening Program Web site. Today is June 23, 2010, and this webinar is part of the series put on by the FMCSA Office of Analysis, Research and Technology. . . .

We will go ahead now and turn it over to Michael Johnson. He is an Environmental Protection Specialist for our Analysis Division. Please note—I see a lot of people with raised hands; unfortunately, we will not be able to accommodate you during the presentation, but we will be able to answer any questions at the end.

Mike?

PRESENTATION—FMCSA'S PRE-EMPLOYMENT SCREENING PROGRAM WEB SITE

PRESENTATION TITLE SLIDE: FMCSA'S PRE-EMPLOYMENT SCREENING PROGRAM

Michael Johnsen (Environmental Protection Specialist, FMCSA ART):

Thanks a lot, Kirse and thank you, everybody for joining us in today's webinar on the Pre-employment Screening Program. I am imagining that a lot if you are familiar with this program and may have come to one of our webinars before on the Pre-employment Screening Program. If you have, then welcome back; hopefully, we will be able to show you some new things today, especially involving the Web site for the Pre-employment Screening Program. If this is the first time that you are joining us for information on FMCSA's PSP, then we will give you some background on it and show you how to use it. There may be some slight delays with the loading of the presentation and what you see on the screen. We have a high number of folks on our Web site here, so sometimes it runs a little slow—so please bear with us if there are a few delays.

SLIDE 2: WHAT IS THE PRE-EMPLOYMENT SCREENING PROGRAM (PSP)?

First off, I just want to review for those of you who are familiar with the PSP, and for those who are new with the PSP; this will give you some background on the Pre-employment Screening Program. This is a new program in the Federal Motor Carrier Safety Administration. It started in March. We were allowing motor carriers to enroll in the program, and then on May 11, kicked off the full release of the program where data is now being transmitted through the program. Now this program is live and people are using it and getting information through it. What it does is provide motor carrier employers with crash and inspection information on drivers who want to get a job with them. So, on potential new hires, the motor carrier who is doing the hiring can check out that driver's crash and inspection information. A couple of things—this is a voluntary program for both the carriers and drivers, and the drivers must provide written consent to have their information released. That motor carrier will not be able to see that driver's information if

the driver does not provide written consent. This is a big thing that was part of the requirement for the program that we got.

SLIDE 3: WHY DID FMCSA DEVELOP THE PSP?

We are doing this program for a number of reasons. First off, it is required by SAFETEA-LU. SAFETEA-LU is our reauthorization—that's the bill that Congress signs that gives us funding for our projects and also instructs us on things that Congress wants us to do. One of the things that they wanted us to do was to release the crash and inspection information that FMCSA has in MCMIS to folks who are going to be hiring drivers for their companies so that they can view the same information that we can see on a driver's safety. FMCSA thinks that this will increase safety. There is a little bit more ownership of the information. It can improve the data quality and, hopefully, it provides better-informed decisions for motor carriers on hiring potential drivers for their companies.

SLIDE 4: WHAT DATA IS IN THE PSP?

If you look at the data that is in the Pre-employment Screening Program, a lot of you are probably familiar with this. I saw in the beginning that a lot of you folks are with a motor carrier company. If you are familiar with your SafeStat score and that information from MCMIS—that is exactly what is in the PSP. It is in the Motor Carrier Management Information Systems data. That is five years of crash data and three years of inspection data on that particular driver. The way that it is arranged in the PSP is by driver characteristic. So the file is specific to a driver and not to a company that you might see if you looked up your information online. It does not include conviction data. There is no conviction data in the PSP. This is strictly the MCMIS data—five years of crash data and three years of inspection data. And for those of you who might be familiar with FMCSA's Driver Information Resource—that is a database that we set up using the MCMIS data to arrange these driver profiles—it's the same data that is in the Driver Information Resource that FMCSA inspectors and our State partners use when doing research or conducting inspections and information gathering on drivers.

SLIDE 5: HOW DOES THE PSP WORK?

Really quickly, how the PSP works. What we're going to do is get into actually showing you step-by-step how to use the Web site—that is the purpose of this meeting. This is a Web-based system; it is secure and safe. There is a fee for service by the contractor and the rates are on the Web site. Essentially, the motor carrier enrolls into the program and then collects the signatures from the applicant drivers. FMCSA has an extensive audit system set up to not only ensure signature collection, but a whole other host of data protection that we are required to do. Or, the driver can bring their own PSP record to the motor carrier, or the motor carrier can obtain it through the PSP system. So, drivers can actually obtain their own record file, just like the motor carrier could. Obviously, you have to have the driver's consent for both of those releases. Anytime the driver's file is released, each and every time that file is released, the driver has to sign off and allow that information to be released, so the driver should know.

SLIDE 6: CAN THE DRIVER SEE THEIR PROFILE?

And I have answered my own question: “Can the driver see their profile?” We encourage you to take a look at your information if you are a driver. You can get it two ways—you can get it through FMCSA’s Freedom of Information Act (FOIA) process or get it much faster through the PSP system. It takes FMCSA awhile to get the information together. The PSP system is very quick. If you have any questions about the data that you see on your profile—if something is incorrect—you can request a review of that data point through FMCSA’s DataQs system. The motor carriers are probably familiar with the DataQs system, this is a system—there is the Web site right there, and you can get a copy of these slides to make sure you have the site—but there you can enter in a request to review data that you might think is incorrect. That way, we think actually with a system with all drivers reviewing their data, we can potentially improve our data quality.

SLIDE 7: HOW WILL FMCSA PROTECT THE DATA?

Protecting this data is a primary concern for FMCSA. This is a really big deal. We have to adhere to a number of Federal requirements. There is the Privacy Act; there are nondisclosure statements for anybody involved or potentially accessing this information in this whole process. There is the Fair Credit Reporting Act. There is a whole host of other Federal laws protect this type information from theft and manipulation, or falling into the wrong hands. FMCSA is performing audits through a variety of the systems to make sure that the way that this system is set up is working and that folks are following the rules. We have a process—if you have already logged into the system and enrolled, you know that there is a process that confirms the driver and company identity through the system to prevent people from just logging on to the system and spoofing an identity to gather information. The contractor that we are working with cannot change this data. They are getting this data from us, FMCSA, and they just present exactly what we are giving them—so the contractor is not responsible for the data quality or content. If you have a question about the data and you want a review of that data, you go through our DataQs system that we just talked about.

SLIDE 8: MOTOR CARRIER ENROLLMENT

Like I said, the motor carrier enrolls in this program, and we’ll see how this is done when we get to looking at the Web site itself. There is an authentication process that the company has to go through and provide credentials for; the motor carrier agrees to a list of legal and usage constraints; there are warnings about how the data is every time they begin a session. The functions here that the motor carrier can do are managing the accounts that they have and the query and receipt of authorized driver records. You will see that in just a minute, so we can move on to the next slide, which is the beginning of our service demonstration.

SLIDE 9: SERVICE DEMONSTRATION

I am going to turn this now over to Elizabeth Pemmerl from NIC who will step us through that. NIC is our contractor who we are partnering with, and we are really happy to have them as our partner. Elizabeth is going to show a little bit of how the Web site works.

Elizabeth Pemmerl (NIC Technologies, Inc.):

Thank you, Mike and good afternoon to our participants—good morning, as it may be. As Mike mentioned, my name is Elizabeth Pemmerl. I am with NIC Technologies and we partnered with FMCSA to design and develop the PSP online services. A few notes about our planned demonstration—we are going to walk through two services: the driver service that Mike mentioned, where drivers can access their personal PSP information, and the motor carrier online service.

You will notice as we walk through these screens that some have information pre-populated. We are using screen captures rather than a live demo, and that's so that folks who were not able to join us on the webinar and due to the constraints from the number of participants can walk through it at the same time and understand as we walk through on the phone. I will also just mention that we are using all test data, so obviously this is not a real driver we are presenting, nor is this real payment information—the credit card number will not get you very far.

SLIDE 10: SCREENSHOT: PRE-EMPLOYMENT SCREENING PROGRAM HOME PAGE

We'll start with a screen that should be pretty familiar to everyone. This is the Pre-employment Screening Program main landing page and here you see there is a good deal of information about the Pre-employment Screening Program. It is available today at www.psp.fmcsa.dot.gov. In addition to the information in the upper right-hand corner—you see links to both contact us, and that is where you can find the telephone number and e-mail address for the customer Service team, and also a link to the PSP Frequently Asked Questions, and there is a great deal of information there, including much of what Mike covered already.

In the center of the screen you see two major options—there are two blue links: on the right side you see “Motor carriers can enroll today,” and here is where interested motor carriers can access the subscription agreement. Just print that down and send that back in order to get your access credentials. On the left side you see, “Access PSP records,” and that is where a visitor to this site starts, either as a driver or a motor carrier, in order to purchase a PSP records. We will go ahead and click on that blue screen and advance to the next page.

SLIDE 11: SCREENSHOT: “LET'S GET STARTED” PAGE

Here you see the first page of the PSP online service. There are three options here. “Operator applicant”—this is our online service for drivers; “Operator returning,” which I'll touch on in a minute—it's also for drivers; and then the motor carrier section, where a [carrier] would click “Start” in order to log on and begin. We will go ahead and start with the driver application, so we'll click on the red “Start” button. A quick note—the application is available anytime, there is

no subscription or enrollment required. **[Editor’s Note. There is no subscription or enrollment required for *drivers* using the operator-applicant portion of the online service.]** So again, as Mike mentioned, we encourage drivers to come to the site and check out their personal PSP record.

SLIDE 12: SCREENSHOT: PSP “WELCOME” PAGE

The first screen that you see here is a welcome screen that offers a bit of information about the transaction and also explains what you will need to have handy in order to complete the online service. That includes a credit card, Visa, MasterCard, Discover, or American Express are accepted to pay the PSP record fee; an email address—that is where we will deliver the receipt at the end of the transaction; a PDF viewer in order to print the transaction—and that is a free download if you do not have it available. Also, we recommend both your current driver’s license number and any driver’s license number you have held in the last five years. Because the MCMIS data is organized by State drivers’ license, you really want to present each of those licenses as part of this transaction in order to get your full history. We will click on the blue button at the bottom to continue.

SLIDE 13: SCREENSHOT: “DISCLAIMERS” PAGE

The first thing you will see here is the disclaimers page. These are the government warnings and certifications that Mike mentioned, that the necessary in order to continue on with your PSP transaction. If you are interested in printing a copy of these disclaimers, there is a print button in the upper right-hand corner in gray and you can retain a copy. You are required to type in your initials in order to continue, and then to click “Agree to Terms”. With that, we will advance forward a screen.

SLIDE 14: SCREENSHOT: “CONTACT INFORMATION” PAGE

Here is where we begin to input information about the driver. You will see that we entered Katherine Jasenof’s first and last name followed by the e-mail address twice in order to confirm that it was typed correctly; a phone number which is only used in case of a problem or question on the transaction later on; Katherine’s address information; her current license number; her date of birth; and her license State. This is where it is important to make sure that you are using information from your current driver’s license, because we do employ an industry standard identity verification service in order to make sure this is a real person looking to access PSP data. We will click the “Next” button to continue on to the payment screen . . .

SLIDE 15: SCREENSHOT: “PAYMENT INFORMATION” PAGE

. . . where you are going enter basic credit card information. This will include a drop down of the card type; the card number; the card verification number, which can be found on the back of the card in most cases—American Express it is on the front—the name on the card; the expiration date; the billing address; and then an agreement that the user understands they are requesting a

personal commercial driver record and that the credit card will be charged 10 dollars for the record purchase. After clicking “Agree,” you click the blue “Next” button.

SLIDE 16: SCREENSHOT: “REVIEW INFORMATION” PAGE

Now we land on a screen that allows you to review all of the information that you have typed in to date, and if you see something that you would like to correct, there is a “Previous” button in the lower corner, or you can click the “Next” button to continue.

SLIDE 17: SCREENSHOT: “DRIVER’S LICENSE INFORMATION” PAGE

If all of the information is accepted and the payment information is valid, you land on the screen where you type in the license numbers and information about the PSP record request. You will see that it is pre-populated with the date of birth, and the first name, last name, license number, and license state that were submitted during the first screen, and this way we know that the individual whose identity we verified is the individual who is having the PSP record search conducted. In Katherine’s case, she has moved from Washington State to Kansas, for instance, we clicked the “Add License” button in the bottom right hand corner and Katherine entered her Kansas license information. In this way, she will search for her Washington history as well as her Kansas history and get the full snapshot of the information available in the MCMIS database. It is important to note that this does not change the cost of the transaction. Katherine can search up to five licenses for that single 10 dollar fee. We will click “Next” in order to continue . . .

SLIDE 18: SCREENSHOT: “DRIVER’S CONSENT AND CONFIRMATION” PAGE

. . . and this information again is presented for review to make sure that nothing is mistyped. You can click “Previous” to return or you can click “Next” to continue. Before you do so you are required to certify that you are requesting only your personal commercial driver crash and inspection history.

SLIDE 19: SCREENSHOT: “PRE-REPORT” PAGE

All of that information is then sent out to the MCMIS database, and you are presented with two options—a button to view the record in HTML, which means the record opens in a new browser window, or an option to view in PDF, which is the best option if you would like to save the record or print it.

SLIDE 20: SCREENSHOT: PAGE ONE OF THE PSP DETAILED REPORT FOR KATHERINE JASENOF IN PDF FORMAT

So, if we were to view Katherine’s record in PDF format, it would appear like this, and I will turn it over to Mike to discuss the details of the data.

Michael Johnsen:

Thanks, Elizabeth. I mean, isn't that easy? These guys have done a great job in setting up a system that we think is really simple and straight ahead to use and gets you the information. So here is the PSP Detailed Report. It's a two page report. Here is the first page that you are going to see. This is the same information that we get to see on the FMCSA side, straight from the MCMIS database. Up at the top you will see the driver information, and this is essentially what you have entered in to obtain the record. Below that we will start with the "Crash Activity." It's going to give you a crash summary of the number of crashes, fatalities, injuries, the tow-aways or HazMat releases, if any, and in this case, Katherine has been driving pretty well, and has not been involved in any crashes. This is not at-fault information here; this is just *involved* in a crash, just like it is in the SafeStat system that you are familiar with now. And then below that are the crash details. If there has been a crash here, you would get the date and the DOT number, and the carrier name, and the State report, and report number of that crash. That would be an excellent opportunity for you, as the employer, to discuss these events with the driver that you are looking to hire. Below that is the inspection activity, and this is, again, the 3-year data, and the crash data is the 5-year data. So here you get an inspection summary. This is going to give you a nice overview of how many inspections the driver has had—and these are roadside inspections. It will give you a summary of the vehicle inspections and any HazMat stuff. Down at the bottom is your Out-of-service Rate, so that is probably what you will be looking at a lot here. In this case, we have seven inspections, and there is only one Vehicle Out-of-service inspection for 20% of Vehicle Out-of-service rate with five inspections there. If you want the details, you have the details in this report and the information is available to you—you will see the date of the inspection, the carrier name, the driver name, the license number and the report number. Below that, it will tell you the driver violation—it gives you the citation there. In this one, the first one is failure to use a seat belt while operating a CMV—I know no one out there listening ever fails to use their seat belt while driving—I hope not, that's one of the safest things you can do. Then it goes ahead and lists each of those inspections and what was found. We can move on to the next page of the report that you will get.

SLIDE 21: SCREENSHOT: PAGE TWO OF THE PSP DETAILED REPORT FOR KATHERINE JASENOF IN PDF FORMAT

You can see it continues listing the violations per inspection. Here we have a couple of simple ones of lamps not working. Then down below in the "Violation Summary," you see the violation numbers and the number of violations per violation citation and then the out-of-service violations for that. And here it is pretty easy to tell that the out-of-service violation was for the flat tire or fabric exposed on the tire. This is laid out very similarly and it is based on the SafeStat information the way that we look at it at A&I online, if you are familiar with the FMCSA A&I Online Web site. We think this is a great way to view the information, and we are really happy that NIC has been able to develop these forms to make this a very simple, easy way to look at it. We think you are going to find the system easy to use to gather the information that you need to make an educated decision about hiring a driver, and you as a driver to review your own records and to see the inspections that are associated with you. So, in a transparent environment, you get to see what we are seeing, and the motor carrier gets to see what your records are before they hire you onboard.

Thanks a lot and I will turn it back over to Elizabeth to finish this up here, and to keep looking at the other options in this program that we have.

Elizabeth Pemmerl:

SLIDE 22: SCREENSHOT: "LET'S GET STARTED" PAGE

Thanks, Mike. I will touch quickly on the "Operator (Returning)" link. We are not going to walk through that, just for purposes of time, since it is similar to the driver application that we just reviewed. Essentially, what this allows the driver to do is to revisit their record for a 5-day period after they make their initial purchase. This way, if the driver does not have a printer available—perhaps they are out on the road when they request their PSP record, or their record gets destroyed, they can regenerate a copy at no charge to them 120 hours from the time of purchase. The way they do that is via the receipt email that I mentioned. At the time that Katherine Jasenof—the driver that we were just looking at—at the time her record was rendered, she also received an e-mail. That email has information about the date and the time and the amount of the transaction, and it also contains an authorization code and a link to this "Operator (Returning)" site. She can come here, click in again, agree to all of the government warnings, offer her authorization code and some basic contact information, and review her record. That is a nice-to-have, great customer service feature. I'll move right now into the carrier application. So all the way to the right, we will click on the red "Start" button.

SLIDE 23: SCREENSHOT: MOTOR CARRIER LOGIN PAGE

This is where motor carriers who have been enrolled in the program can log in using their access credentials. So here you see a user name and the password; those credentials would have been assigned to the individual user at the time that the motor carrier enrolled. So we will click the blue button to log in to the motor carrier service . . .

SLIDE 24: SCREENSHOT: "TERMS AND CONDITIONS" PAGE

. . . and this should look familiar—it is the same set of government warnings and conditions. Again, we have a "Print" option and again, after reading the terms and conditions, the user must type in their initials and agree to the terms in order to proceed.

SLIDE 25: SCREENSHOT: "MOTOR CARRIER DASHBOARD" PAGE

We will move next into what we call the Motor Carrier Dashboard. This is really home base for the motor carrier users. This is set up so that anyone in the account—so all of the trucking company's users, for instance—can see all of the records that were requested by other users. So here you see we have a list of records that were recently requested. We have a blue link all the way to the right that says "View," and, much like the driver records, the motor carrier records are available for viewing for a 5-day period. Of course, you can view them as PDFs, save them elsewhere, perhaps print them for a driver's application file, but you do have access to them over

a 5-day period through your Motor Carrier Dashboard. You also have access to request additional driver records to add to this Dashboard, and that's where that blue link is there in the middle. We will click on that . . .

SLIDE 26: SCREENSHOT: "ADD DRIVER" PAGE WITH A REQUEST FOR INFORMATION ON FICTITIOUS DRIVER, KATHERINE JASENOF, AND HER WASHINGTON STATE DRIVER'S LICENSE

. . . and, as you see, we are using Katherine Jasenof again. She is our driver, and the first line requires her last name, first name and date of birth, and underneath we have the option to type her last name, license number and license State. We do offer the option of typing in an alternate last name in the case of a legal name change. Also you will see that the user has certified "under the penalty of perjury that the company I represent has received the written consent of this operator applicant for this inquiry. I understand this record will be available for viewing for five days from the time of purchase." If a representative in the hiring department was searching three drivers, they could add additional drivers to this query by clicking the blue "Add Addition Driver" button. They would receive another set of input fields exactly like we see with Katherine. They would also see the query count increase. On the bottom right hand corner, you will see that we are currently searching one driver for a transaction total of 10 dollars. If we added a new driver, we would see that increase to two drivers at 20 dollars.

SLIDE 27: SCREENSHOT: "ADD DRIVER" PAGE WITH A REQUEST FOR INFORMATION ON KATHERINE JASENOF FOR BOTH OF HER CDL S (WASHINGTON AND KANSAS)

As with the Operator Applicant application, you do have the option of adding additional licenses for drivers. So we jumped ahead one screen and now you can see that I have added the Kansas license for Katherine by using the "Add License" blue button in the lower corner. So you can add or remove licenses and make sure you have a nice clear picture on the driver. And again, as with the driver application, that does not change the cost of the transaction—it is 10 dollars regardless of the number of licenses searched.

SLIDE 28: SCREENSHOT: "RESULTS OF DRIVER INFORMATION REQUESTS" PAGE

So here you see we have processed Katherine's information. We have one driver information request, and it is now available in the Dashboard. At this point I can return to make additional requests . . .

SLIDE 29: SCREENSHOT: "MOTOR CARRIER DASHBOARD" PAGE (SLIDE 15) WITH THE ADDITION OF KATHERINE JASENOF

. . . or I can go ahead and view Katherine's record by visiting my Motor Carrier Dashboard. Now you'll see the second record down, we have Katherine Jasenof. We would view her record by clicking on the blue "View" button on the right side of the row. That is going to render Katherine's record in PDF.

SLIDE 30: SCREENSHOT: PAGE ONE OF THE PSP DETAILED REPORT FOR KATHERINE JASENOF IN PDF FORMAT

This is the same record that we just viewed, so we'll move right through the record . . .

SLIDE 31: SCREENSHOT: PAGE TWO OF THE PSP DETAILED REPORT FOR KATHERINE JASENOF IN PDF FORMAT

SLIDE 32: SCREENSHOT: "MOTOR CARRIER DASHBOARD" PAGE (SLIDE 15) WITH THE ADDITION OF KATHERINE JASENOF

. . . and we will land back on the Dashboard. There are just a few other things that I would like to mention about the Dashboard. In the green bar on the top, you see from left to right the Customer ID—this is the PSP customer account number, which is handy to know especially when dealing with our Customer Service Team, as it helps them service you most quickly. You also see the user name—who is logged in—and then there are three links: "Contact Support", "Change Password", and "Logout". We will walk very quickly through the "Change Password" screen. So if you were to click on that upper right-hand link in the green bar . . .

SLIDE 33: SCREENSHOT: MOTOR CARRIER "CHANGE PASSWORD" PAGE

. . . you are going to land on a very straightforward screen asking for your current and your new (password). You just click "Save" and you are all set there and you will be returned to the Dashboard. So that's pretty straightforward.

SLIDE 34: SCREENSHOT: "CAN WE HELP YOU?" PAGE

The next is "Contact Support"—and here you will find the Customer Service Team toll-free number and e-mail address. We are pleased to offer phone service from 8:00 a.m. to 6:00 p.m. Eastern time Monday through Friday. You can also send in an email anytime and, for the most part, we are able to get back to people within the same day, pretty quickly. **[Editor's Note: Email and phone support is not available on Saturdays or Sundays, but the Customer Service team replies to weekend inquiries on Mondays as quickly as possible.]**

SLIDE 35: SCREENSHOT: "LET'S GET STARTED" PAGE

With that, I will just give a quick summary. We encourage you to check out the PSP program. It is available anytime online. It is supported in any major browser—Internet Explorer, Firefox, Google Chrome or Safari. Again, drivers pay the 10 dollar record fee by credit card; motor carrier transactions are compiled onto a single monthly invoice, and we help you through that process as part of enrollment.

Michael Johnsen:

Great, thanks a lot, Elizabeth. As you can see, this system is really easy to use. It is very straightforward. If you have ordered anything over the Internet, this is not going to be much of a stretch for you. We are happy that we can offer a this type of a product for the motor carrier industry and for the drivers to be able to achieve the goals of SAFETEA-LU that we are required to do, as well as provide information to improve safety, and we are glad that we have an excellent partner here that has been able to deliver on making a very usable, easy, informative Web site. So thanks a lot for that.

SLIDE 36: CONTACTS – FMCSA

If you need to get in touch with us, there are a couple ways of doing this. If you need to get in touch with FMCSA about issue-oriented stuff, Arlene Thompson is the contract Technical Representative for this, and that is her phone number. My name is Michael Johnsen, and that is my contact information if you would like to drop me a line.

SLIDE 37: CONTACTS – NIC TECHNOLOGIES

If you want to get in touch with NIC Technologies, there is the PSPenrollment@nicusa.com e-mail address. That is for questions on the enrollment process. General questions can be directed to the PSPhelp@nicusa.com. Again, NIC has a great customer service setup, they are very responsive, and they will be able to help you out with any questions that you might have in using the system or getting started with the system, or going over any of the information . . .

Operator:

Pardon the interruption, but we lost our speaker line. We are waiting for them to dial in; please be patient.

Michael Johnsen:

Sorry about that; we just had a little technical difficulty, and we dropped out on the voice. I am not sure where we dropped out, but you can see the contacts for NIC Technologies are here. They have a great customer service that can help answer any questions that you may have concerning anything that we overviewed today or the use of the service.

So now what we will do is start looking for some questions. We have a bunch typed in. So let me turn it over to Kirse.

[30:44]

QUESTIONS AND ANSWERS

Kirse Kelly:

Thanks a lot, Mike. We are now open for questions. If you would like to ask a question, you can submit questions by typing them in the space at the bottom of the "Q&A" box that is on the left side of your screen. We have gotten quite a few questions already, so we will go ahead and get started. Mike, I will turn it back over to you and Elizabeth.

Michael Johnsen:

There were a couple questions about the pricing. Somebody asked if the driver has to pay. The driver only pays if they are viewing their own record and getting access to their own record. If they are releasing the information to the motor carrier then the motor carrier is the one paying that request for information; and the driver does not pay.

Also, if you are a driver, you can always get your record through the Freedom of Information Act (FOIA) process that FMCSA has. It will take in a little bit longer, but you can always do it that way and that is a free request. The other question was, "Is \$10 per license or \$10 per driver request?" I believe that Elizabeth said that you can enter up to five different State licenses per driver request for that same one-time fee. Is that correct, Elizabeth?

Elizabeth Pemmerl:

Yes.

Michael Johnsen:

Okay, very good. Somebody asked if it is it advisable for motor carrier to make a screen print of the terms and conditions; that would be strictly up to you guys. If you are familiar with what those terms and conditions are by reading it, that is fine; we just make them available because you need to know exactly what we expect when you are downloading this information.

Elizabeth Pemmerl:

I see a question here related to how many users a company can have. There are ten users per account. An account annual fee is 25 dollars for carriers with fewer than 100 power units. Those with greater than 100 power units have a 100 dollar annual fee, and for the purchase of additional accounts we can offer additional users, but the standard is ten.

Michael Johnsen:

There is a question about the authorization form that the driver signs. I believe that there is a sample available on the Web site that you can use as a template. Certainly, the motor carrier can create their own, but if you want to get a start for one, it is part of the enrollment package at the motor carrier page, and you will have access to that then. You can type up any kind of agreement that you want to have, but there is a good start in the template that is provided in your enrollment.

Let's go through a few more of these. Here's a good one.

Elizabeth Pemmerl:

Here is a question that asks, “Is there a fee charged if there is no information found on that driver?” The answer is “Yes.” The fee is paid for the driver query, and we simply return what is available in the driver MCMIS database, and occasionally that is that there are no crash or inspection results found. In that case, you do receive a record that has a stamp in the upper right-hand corner, just noting that there is nothing in the MCMIS database for that driver.

Michael Johnsen:

What that means is that either the driver has not been in a crash, or has not been inspected for the duration time that the data goes back, which is five and three years, respectively.

Julia, are there any phone questions waiting in the queue?

Operator:

We have a question from the phone line . . .

Participant:

I was wondering if there had been any expectation in digitally signed release forms. We currently have all of our release forms online, and the applicants are able to sign using their mouse; it is not something that they just click on, “I accept.” This is something that has been accepted by all of our employers that we send these release forms to, and I wonder if this is something we will be able to utilize with the PSP form.

Elizabeth Pemmerl:

Thanks for your question. That is a good one, and one that we have gotten frequently. We are working with the FMCSA legal team on that exact issue and we hope that in the future that will be acceptable. But we’re working on the exact parameters for electronic signatures in that capacity. We hope to be back with you soon with more information regarding the specifics.

Michael Johnsen:

Is there another phone question?

Operator:

There are no further questions coming from the phone line.

Michael Johnsen:

This question asks, “Are there any plans to include drug and alcohol testing results in the future?”

This has been discussed, but at this time we have no plan to integrating that information into the system. That doesn’t mean we would not consider it in the future, but at this time we are just excited to have the system up and running and using it. While that may be an option in the future, at this point we are not undergoing any actions to do so.

Another question—and I want to make sure this is very clear—somebody asked, “Is this required?” The motor carrier does not have to do this. This is a voluntary program. Certainly, it

provides some benefits for the motor carrier to do so, and that is one of the reasons, I think, that Congress wanted us to make this information available—there were certainly motor carriers who were interested in this—but it is a voluntary program, so you don't have to do that. You are not required to do that.

Elizabeth Pemmerl:

One thing I am noticing on the question queue are a few requests to repeat the enrollment URL, and that is www.psp.fmcsa.dot.gov. It is also linked from the FMCSA homepage, and the enrollment agreements are available for download on that page.

I am also seeing a question, “When can motor carriers start?” And the answer is that the program has been live since May 11, so carriers can enroll today. It usually takes a few business days to complete, but it is a pretty quick turnaround and is available now.

Michael Johnsen:

And that is www.psp.fmcsa.dot.gov.

We will type that up in the note box. We should have typed that in there sooner so everybody has that on there—it is an important Web site to have if you are interested in using this program.

Let me see, are there any phone calls in the queue there?

Operator:

We have several more people that have queued up . . .

Participant:

I am with the South Carolina Division of Federal Motor Carriers. My question was about a copy of the webinar, but that has was answered. Thank you.

Operator:

Next we will go to the line of . . .

Participant:

I was wanting to know what was the purpose of running multiple drivers' licenses. I thought the PSP was supposed to eliminate having to do that. Would it not show up the same identical information no matter how many licenses a driver has?

Elizabeth Pemmerl:

No, just to clarify: the information is aggregated at the driver's license level. So any time that the driver has an inspection or crash it is reported in associated with that single driver's license. So in order to get the full snapshot of a driver's history, you are going to want to search each of the licenses that they have held.

Participant:

Right, just like we do now, okay. Michael, did I understand you when you said that a driver's information on a crash would be only on there if it's at fault?

Michael Johnsen:

No, what I was trying to clarify is that it is just involvement in a crash. It is just like it is in the SafeStat system. It is just involved in a crash. It does not show at fault. I want to make sure that is very clear to folks, that if you are a motor carrier and you have a driver applying for a job and they have a crash on there, you will want to talk to them about the crash. It does not mean that they caused that crash.

Participant:

Thank you very much.

Michael Johnsen:

There are a couple of questions here: “Does this cover personal vehicle records?” and that would be no. This is just for your CDL stuff. Somebody asked if we’re going to issue guidelines for what a bad score is. This is something very important that I want to clarify again, just like the at-fault issue—we’re not making a qualification here with this system. We are simply releasing the raw data that we have on that driver. You, as the motor carrier, will need to know from your experience what you would like to know from that information to have the conversation with the driver about that. So we are not issuing any ups and downs through the PSP program about this data. We are just simply making this data available to you, and you can certainly make your hiring decisions based on that data.

Elizabeth Pemmerl:

One question I am seeing frequently in the question queue is whether or not third-party screening companies or other driver screening services can access the data.

The program was launched with just the operator applicant and motor carrier services, and FMCSA is considering and researching options to expand this a bit, but at this time drivers and motor carriers only can view and request this data. If you would like to contact NIC Technologies via the email address given, which was psphelp@nicusa.com, we can add you to our e-mail distribution list to update you if and when there are changes in the future.

Michael Johnsen:

Another popular question is what is the return time, Elizabeth, on the system?

Elizabeth Pemmerl:

Seconds.

Michael Johnsen:

Seconds. And that is exactly what FMCSA was looking for in getting assistance and partnering in developing this program, and that is why this is such a useful partnership. When you are looking for this information and you know that you may have an interview with this driver this afternoon, you can use this system this morning and be able to have that information for your interview, instead of having to do a FOIA request with FMCSA and having weeks for that information to come back. So we are happy to report that this is a fast system. This is almost a real-time type of system.

People asked if this might be a mandatory program. At this point there is no expectation that this will be a mandatory program. At this point it is a voluntary program. That is what Congress authorized in SAFETEA-LU. We look to Congress if they want to change that, obviously, but this is a voluntary program, not a mandatory program.

Elizabeth Pemmerl:

Are there any phone queue calls, Julia?

Operator:

Yes there are . . .

Participant:

Thank you. What I was wondering is if we require our drivers to furnish the report when we go through the hiring process, is there an “as-of” date on the report, so that we can assure that we get a reasonably current report?

Michael Johnsen:

Yes. If the driver was to get their own report and bring it to the interview, it will be dated as of the date of that report.

Elizabeth Pemmerl:

And that date is in the lower left-hand corner of the report.

Participant:

Okay. Thank you.

Michael Johnsen:

That is an excellent question that I have seen here—people have said, “If the driver approves it, why can’t they give it to the insurance company or to somebody else who is not performing a pre-employment screening function?”

If the driver gets their record and they have their own record, they purchased their record through the PSP, they can give it to anybody that they want to. We’re not going to stop them from doing that. This program itself is only set up for folks conducting pre-employment screening for motor carriers, so this program will never release that information to anybody but who we are authorized and required to through SAFETEA-LU, through the act of Congress. If the driver wishes to get their report and then distribute it to other folks, then you may.

Are there any other questions on the phone?

Operator:

There are . . .

Participant:

Will this information be discoverable from the plaintiffs' bar, either through the contractor or directly to the DOT in case of litigation?

Michael Johnsen:

I'm sorry, what was the question again?

Participant:

Will the PSP information be discoverable by the plaintiff's bar during litigation, either through your third-party contractor or directly through the Department of Transportation?

Michael Johnsen:

I think it would obviously have to be through the Department of Transportation, and with those legal-type of questions you might want to send us an E-mail so we can route it to the legal offices if that becomes an issue. But any request for information outside of this limited situation that we describe for folks conducting the Pre-Employment Screening Program would have to come through the Department of Transportation.

Participant:

Okay.

Michael Johnsen:

I just wanted to clarify that this is inspection data, not violation data. This is inspection information that you are seeing. It is five years of crash data and three years of inspection data, and it is not conviction data. There is not conviction data in this database.

We will look through a couple of more of these questions and see if we can't pull one off . . .

Elizabeth Pemmerl:

I'm seeing a question, Mike, asking about the account setup. If a company has multiple DOT numbers—for example, they have different sections of the fleet, depending on how they are set up, we can set up an account in one DOT number or multiple, so it is at the discretion of the carrier, considering that there will be a single billing and those ten users. So it is at the discretion of the carrier if they would like to set up one account or multiple with their multiple DOT numbers.

Michael Johnsen:

We are about ready to wrap it up. We will take a few more questions here. Somebody wanted to look at the FCRA [Fair Credit Reporting Act] requirements for the program. It is a little outside of the scope of this presentation—we are just focusing on using the presentation—but that information can be . . .

Elizabeth Pemmerl:

. . . found in the enrollment package.

Michael Johnsen:

Thanks, Elizabeth. Yes. I just wanted to verify that before I said something.

One question is “Do you have to send the written authorization form or just certify that they have it on file?” You, as the motor carrier, are going to want to keep that authorization. If we come in and do an audit to check that out, then you are going to want to show us that matches up with the drivers that you received information on—so keep that on your files.

Are there any other questions on the phone right now?

Operator:

Yes, we do.

Participant:

Thank you. Good afternoon. I have noticed through all of the reviewing of the sections, they have all been either violations or out-of-service criteria. The question is to get a brief overview of the driver’s history, are they also going to include the clean inspections with no violations?

Michael Johnsen:

If there is an inspection that has no violation you will see the inspection on there with no violations to it—so, yes. And that is just simply how the data shows up in the MCMIS database. So when I am doing research on violations, I am counting how many violations are clean, and I can do that by seeing the number of inspections and there are simply no violations there. So you will see an inspection there but no violations.

Participant:

Thank you.

Operator:

Next we will go to the line of . . .

Participant:

A question about a data entry error— if you are actually on the site and honestly you make a mistake and you have a wrong keystroke and you submit that, will you still be charged? Will it send back something saying that this information cannot be found on this person? How does that work?

Elizabeth Pemmerl:

In that case you would receive a record back and, if it was not a match on the MCMIS data, it would have the red stamp in the upper right-hand corner, and yes, you would be charged for the transaction. So, we encourage folks to go nice and slow and type in as many iterations of the license numbers and last names that they have available so they can get the best snapshot possible.

Michael Johnsen:

That would be a good thing when you are looking to hire the carrier. You might want to take a look at the driver's license if possible, and try to verify with that driver that the license is correct, especially if you are also contacting the driver to get a signature on the form to release it so that you know that is accurate to do so.

Kirse Kelly:

And remember, you have that review screen, so you can check and make sure you put in the right information. **[Editor's Note: This is incorrect. There are review screens for the driver application, but not for the carrier request.]**

Michael Johnsen:

Let's see, we will keep going through here. There is a question about, for example, if the driver has an accident today, how long will it be before it shows up in the PSP?

What is happening right now is the States report crash and inspection data to FMCSA into the MCMIS system. States have a certain amount of time to report the information, depending on what it is. One of the things that FMCSA has done is gone on a huge campaign to improve the quality of data and the timeliness of data, and the accuracy of that data reported into our system. We are happy to report that a lot of States are now reporting data on time with a high rate of accuracy and a high rate of completeness. So the States are reporting that data into the database, and then every 30 days—and we may actually increase—or decrease—the time between refreshes, but every 30 days we run an algorithm on the MCMIS data. Like I said, MCMIS data is arranged by companies, so we go through and pull out all of the driver data and create that driver record. So that is an algorithm that runs through a lot of data; it takes overnight even with some very fast coding and computers to do this. So, we do a refresh every 30 days, and the second that data is available and is populated into the driver information resource, that information dataset is securely and safely transmitted to NIC, who then immediately puts it into their system. So, as soon as FMCSA gets this information and we do our run and are able to create the driver profiles, you will be able to see it. That said, you may have a little bit of delay sometimes in the situation that occurs to the driver versus when it would show up in the PSP—and that is just kind of the nature of how this data works. However, we still feel that with a 3- and 5-year history you should be able to get a good trend. If this is a dangerous driver or not a very good driver, and they are having a lot of bad inspections and crashes, that is going to happen over time, and you will be able to see that in this record. So even if you do not get something that happened in the last couple of months, you will still be able to start seeing a history of that driver.

We will take one more question on the phone, if we have one more, and then we will wrap it up.

Operator:

We do have another question . . .

Participant:

As far as the retention of those documents that the person has given you authorization to look this up—if, for example, you do not hire this person and he is an applicant that you are

looking at, currently most carriers do not retain that information and, if I'm correct, there's nothing in the regulations that are a requirement for retaining applicants that you do not hire. So let's say down the road I see a person with lots of problems and we do not hire him, and I do not retain that document past six months, and you expect me to have it for a year, that might be a problem. So what is the retention of those forms going to be?

Michael Johnsen:

That is an excellent question. If you are asking that driver to sign off so you can go in and view the record, and you go in and view the record, we are going to know that your company viewed that record. So if we come to your company and say, "Hey, we want to see your signatures on these drivers," you need to retain that documentation for three years. We can do an audit for up to three years of your past records to check that out. So keep a file open for the drivers that you look at. All you have to do is that piece of paper that they have signed, and maybe in the future if it is electronically, just that file that they have signed, but right now it's just the paper signature. Keep that in the file, so if we see we're doing an audit—and we will be performing these audits on companies, just a simple query to check the paperwork and make sure that it is in there, because that is part of the key to this whole thing: making sure that the driver information is protected. That is a requirement that Congress is looking to us. If Congress finds out that there are problems with that, they will be knocking on our door—so we pass that responsibility along and make sure that the system is being performed in this way. So keep those signatures for three years in a separate file because we will know what drivers you have obtained that information for. That's a great question.

I would like to thank folks; I think we will end our Q&A session here. It's a little after 2 p.m. Eastern time, and we want to make sure the folks on the West coast can get some lunch, and folks in the entire nation can go watch some soccer.

Kirse Kelly:

This is Kirse Kelly again. Just one last thing before we wrap up. I think I misspoke—can you correct that, Elizabeth, in terms of having a review screen for motor carriers?

Elizabeth Pemmerl:

Sure. The review screen is specific to the driver application; that was all.

Kirse Kelly:

Okay. So just to clarify that. This concludes our webinar . . .

[55:13]