



Georgia Department of Motor Vehicle Safety

2206 East View Parkway • Conyers, Georgia 30013 • 678.413.8650

Sonny Perdue
Governor

Marshal A. Horne
Commissioner

Office of Information and Regulatory Affairs
Office of Management and Budget
Attention: DHS-TSA Desk Officer
Via Facsimile 202.395.5806

RE: TSA Docket 2003-14610, Burden Estimate, 68 FR 36068

To Whom It May Concern:

This letter responds to the Notice Published in the November 7, 2003 Federal Register. In that notice, the Transportation Security Administration asks for a response to their Burden Estimate under the Paperwork Reduction Act.

The Georgia Department of Motor Vehicle Safety (DMVS) is the state agency responsible for the issuance of driver's licenses. Georgia has approximately 90,000 Commercial Drivers Licenses (CDL) issued that also have a hazardous materials endorsement, or approximately 2.6% of all hazardous materials endorsed CDLs (Based on a figure of 3.5 million "H" endorsements nationwide [estimate provided by AAMVA]).

In our July 3, 2003 response to the TSA Interim Final Rule (attached), we indicated that first-year costs for DMVS would be on the order of \$4 million to properly implement a fingerprinting system. We strongly feel that TSA has grossly underestimated the burden of the Final Rule, and has an unrealistic expectation of the time necessary to implement the procedures.

In our case, Georgia has 56 drivers license facilities located throughout the state. In order to collect fingerprints rapidly, accurately, and in a way to help protect the driver's privacy, we feel that electronic live scan offers the best hope. Initial live scan purchase and installation would cost approximately \$2.01 million, or approximately \$22.35 per "H" endorsed Georgia CDL holder.

Whether using live scan or traditional fingerprint cards, we also would have to train at least two license examiners per location (a total of at least 112 persons, to allow for vacations, sick leave, etc.) in the fingerprint collection process, and devote one examiner to that function at each location. Personnel costs in the first year would be approximately \$1.8 million. We therefore estimate the personnel cost per CDL holder to be \$80, not the \$16 estimated by TSA.

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If we do not use live scan, we must purchase and set up 56 fingerprint stations, at a cost of approximately \$17,500. In order to provide for the privacy of the driver and the security of the fingerprint process, the fingerprint station (whether electronic or traditional card method) would require a separate area of the facility, probably at least 100 square feet each, up to \$98,000 in the first year, or \$4.35 per driver.

Fingerprint collection is not a simple process. Rolling a classifiable set of prints takes skill and practice, and can confound even experienced printers. With traditional fingerprint cards, it may be several weeks or months before the FBI tells the submitting agency if the prints were even classifiable. If not, the applicant must be reprinted, resulting in further delays. The rule also does not address how to deal with individuals with missing or otherwise unprintable fingers.

Based on our experience, if we use fingerprint cards, we expect an initial rejection rate for the cards as high as ten percent. Approximately 200 individuals each month will have to be located and return for re-printing. If these and other normal administrative delays result in some individuals even temporarily unable to drive hazardous materials commercial vehicles, the costs to those individuals and their employers is impossible to quantify. The administrative cost of sending the mandatory renewal notices to hazardous material endorsement holders and issuing temporary licenses exceeds \$2.18 per individual.

Our state fingerprint clearing agency (the Georgia Bureau of Investigation) currently charges \$24 per applicant check for these types of background checks, in addition to the \$29 fee for federal checks. We must also allow for postage and other costs in forwarding the fingerprint cards, estimated at \$5 per set.

Therefore, we estimate the cost per driver to be in the range of \$144 - \$167. Yearly burdens to Georgia therefore range from \$3.2 million to \$3.6 million, and four-year costs of \$12.8 million to \$14.4 million. TSA also inexplicably uses a 10-year period in their burden statement while mandating a maximum 5-year renewal period. Georgia's renewal cycle is 4 years, and most states have a 4- or 5-year renewal cycle. Extrapolated nationwide, with 3.5 million "H" endorsed CDLs, total costs could reach \$497 million, or almost \$110 million per year (using a 4.5 year renewal cycle).

Sincerely,



Marshal A. Horne
Commissioner

MAH/bbm