

SENATE TRANSPORTATION COMMITTEE
January 8, 2021 - 9:00 a.m. - Fort Totten Room

North Dakota Department of Transportation
Terra Miller Bowley, Deputy Director for Administration

SB 2110

Good morning Chairman Clemens and members of the committee. My name is Terra Miller-Bowley and I am the Deputy Director for Administration for the North Dakota Department of Transportation (DOT). I'm here to provide testimony in support of Senate Bill 2110.

This bill is a DOT agency bill.

Thank you for allowing me to explain this bill and answer any questions. Senate Bill 2110 proposes to provide state authority to the DOT to allow the agency to conduct criminal record history checks for volunteers and final applicants for certain positions.

Currently, the department has limited authority under 49 CFR, a federal regulation, which requires nationwide criminal background checks be conducted on all individuals who are certified to administer CDL skills tests and under the REAL ID Final Rule, which requires individuals who are involved in the production of REAL ID driver's licenses and identification cards. The DOT department also has limited authority under OMB Fiscal Policy 112 which requires a FBI criminal history background check for each individual who has access to payroll, vendor, and employee information in PeopleSoft.

The department has several positions which have access to Personal Identifiable Information (PII) or protected information under the Drivers Privacy Protection Act (DPPA) that are not currently covered under the limited authority the DOT currently has to conduct criminal record history checks. Authority under Senate Bill 2110 would allow us to expand and conduct criminal background checks on volunteers and final applicants as determined by the Director. Your approval of the proposed legislation would provide DOT with an added security measure in our hiring process and further safeguard citizen information entrusted to the department.

This concludes my testimony. Thank You.