

SORN Task Key: original SORN text is shown in **black**. Additions to SORNs are shown in green.

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20 VA 138

SYSTEM NAME:

Motor Vehicle Operator Accident Records-VA

SYSTEM LOCATION:

Records are maintained at each VA Health Care Facility, where the authorization to operate a Government-owned vehicle was issued, or at the facility where an accident occurred. Address locations are listed in VA Appendix 1 at the end of this document.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

VA employees authorized to operate a Government-owned vehicle. Individuals involved in a motor vehicle accident at a VA facility.

CATEGORIES OF RECORDS IN THE SYSTEM:

Driving tests, road tests, accident reports, physical fitness reports. Reports and records documenting the facts, circumstances and evidence surrounding a motor vehicle accident.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 38, United States Code, Chapter 3, Section 210(c)(1); Title 38, United States Code, Chapter 57, Section 3311.

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

1. To issue or remove a permit to operate a Governmental vehicle by the General Service Administration to insure against the operation of a GSA vehicle by a driver who is not qualified or who is a poor risk.
2. Transfer of required information to attorneys representing parties involved in litigation of motor vehicle accidents to assist attorneys in representing their clients.
3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
4. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
5. A record from this system of records may be disclosed as a 'routine use' to a Federal, State or local agency maintaining civil, criminal or other relevant information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other health, educational or welfare benefits.
6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
7. Disclosure may be made to NARA (National Archives and Records Administration) GSA (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.
8. VA may disclose information from this system of records to the Department of Justice (DoJ), either on VA's initiative or in response to DoJ's request for the information, after either VA or DoJ determines that such information is relevant to DoJ's representation of the United States or any of its components in legal proceedings before a court or adjudicative body, provided that, in each case, the agency also determines prior to disclosure that release of the records to the DoJ is a use of the information contained in the records that is compatible with the purpose for which VA collected the records. VA, on its own initiative, may disclose records in this system of records in legal proceedings before a court or administrative body after determining that the disclosure of the records to the court or administrative body is a use of the information contained in the records that is compatible with the purpose for which VA collected the records.

9. Disclosure of relevant information may be made to individuals, organizations, private or public agencies, or other entities with whom VA has a contract or agreement or where there is a subcontract to perform such services as VA may deem practicable for the purposes of laws administered by VA, in order for the contractor or subcontractor to perform the services of the contract or agreement.

10. Disclosure to other Federal agencies may be made to assist such agencies in preventing and detecting possible fraud or abuse by individuals in their operations and programs.

11. VA may, on its own initiative, disclose any information or records to appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that the integrity or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise, there is a risk of embarrassment or harm to the reputations of the record subjects, harm to economic or property interests, identity theft or fraud, or harm to the security, confidentiality, or integrity of this system or other systems or programs (whether maintained by the Department or another agency or disclosure is to agencies, entities, or persons whom VA determines are reasonably necessary to assist or carry out the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm. This routine use permits disclosures by the Department to respond to a suspected or confirmed data breach, including the conduct of any risk analysis or provision of credit protection services as provided in 38 U.S.C. 5724, as the terms are defined in 38 U.S.C. 5727.

12. VA may disclose on its own initiative any information in the system, except the names and home addresses of veterans and their dependents, that is relevant to a suspected or reasonably imminent violation of the law whether civil, criminal, or regulatory in nature and whether arising by general or program statute or by regulation, rule, or order issued pursuant thereto, to a Federal, state, local, tribal, or foreign agency charged with the responsibility of investigating or prosecuting such violation, or charged with enforcing or implementing the statute, regulation, rule, or order. VA may also disclose on its own initiative the names and addresses of veterans and their dependents to a Federal agency charged with the responsibility of investigating or prosecuting civil, criminal, or regulatory violations of law, or charged with enforcing or implementing the statute, regulation, or order issued pursuant thereto.

13. VA may, on its own initiative, disclose information to another federal agency, court, or party in litigation before a court or other administrative proceedings conducted by an agency, if VA is a party to the proceeding and needs to disclose the information to protect its interests.

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

Storage:

(a) Paper documents. (b) Photographs.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

(a) The operator permits are filed alphabetically by name of operator.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Physical Security: Access to VA working space and medical record storage areas is restricted to VA employees on a 'need to know' basis. Generally, VA file areas are locked after normal duty hours and are protected from outside access by the Federal Protective Service. Employee file records and file records of public figures or otherwise sensitive medical record files are stored in separate locked files. Strict control measures are enforced to ensure that disclosure is limited to a 'need to know' basis.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

(a) The operators permit file is disposed of three (3) years after separation or three (3) years after cancellation of authorization to operate, whichever is earlier. (b) The accident files are disposed of two (2) years after last activity. (c) Destruction of records is accomplished by burning or shredding.

SYSTEM MANAGER(S):

Director, Engineering Service (138), VA Central Office, Washington, DC 20420.

NOTIFICATION PROCEDURES:

Individuals seeking information concerning the existence or content of a record pertaining to themselves must submit a written request or apply in person to the VA facility where the permit was issued or the accident occurred. All inquiries must reasonably identify the portion of the record system desired, i.e., Driver permit, or accident report. Inquiries should include the individual's full name, dates of employment or approximate date of accident, vehicle license number, description of the vehicles involved in the accident.

RECORD ACCESS PROCEDURES:

Individuals or duly authorized representatives seeking information regarding access to and contesting of these records may write, call or visit the VA facility where the permit was issued or accident occurred.

CONTESTING RECORD PROCEDURES:

(See Record Access Procedures above.)

RECORD SOURCE CATEGORIES:

1. Employee, 2. Private citizens involved in accidents, 3. Federal, State and local law enforcement agencies, and 4. Private insurance companies.