

FORM 3 (AGENCY REPORT)
(Due on or before July 31, 2022)

Agency:	Department of Transportation		
Agency Privacy Officer:	Tamara Murray		
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Date of Report:	July 29, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Status Information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	<u>Technology-Related Information</u> <input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Other Types of Identifying Information</u> (list below): n/a	

*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).

2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.

The New York City Department of Transportation (“DOT” or “Agency”) performs its mission as set forth in New York City Charter Sections 14 and 71 and the New York City Administrative Code Title 19. The collection, retention and disclosure of identifying information furthers the Agency’s mission in the normal course of business. The Agency performs work to achieve the goals of equitable service delivery by:

- Providing safe, efficient, and environmentally responsible movement of pedestrians, goods, and vehicular traffic on the streets, highways, bridges, and waterways of the City’s transportation network;
- Improving traffic mobility and reducing congestion throughout the City;
- Rehabilitating and maintaining the City’s infrastructure, including bridges, tunnels, streets, sidewalks, and highways;
- Encouraging the use of mass transit and sustainable modes of transportation; and
- Conducting traffic safety educational programs

The units specified in response to question #3 below, have been identified as of the filing of this report. The Agency APO will continue to access the Agency’s procedures and assign /update designations on an ongoing basis.

Describe the following types of collections and disclosures: (1) Pre-approved as routine, (2) Pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Describe the Collection or Disclosure	Classification Type
<p>Agency Chief Contracting Officer (ACCO)</p> <p>The ACCO collects retains and discloses information related to the oversight of all Agency procurement efforts, managing procurements that require contracts and for the solicitation and selection of vendors, change orders, time extensions, dispute determinations, and contractual compliance with labor law, local, federal and state procurement requirements.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Advocate</p> <p>The Advocate’s Office collects, retains and discloses various personnel related information and records in the performance of core duties of the unit, to investigate and prosecute complaints of employee misconduct.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Bikes in Buildings</p> <p>The Bikes in Buildings program collects, retains and discloses limited information received from program applicants in the performance of the core function of the program, to implement the Bicycle Access to Office Buildings Law. The program allows tenants of office buildings to request bicycle access for their employees.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Bridges – Truck Permits</p> <p>The Truck Permit Unit collects and retains the information submitted by permittees in the performance of its core function of issuing Annual Overweight Truck Permits, Daily Over-dimensional Truck Permits, and Special Hauling Crane Permits for transit of said vehicles within the five boroughs of New York City.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Camera (Automated Enforcement) Unit</p> <p>The Automated Enforcement Unit in conjunction with their contractor, collects, retains and discloses information necessary to issue notices of liability to motorists who proceed into the crosswalk while the signal is red, operate their vehicles in lanes designated “bus lane only” or speed within designated zones.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Commissioner’s Correspondence Unit</p> <p>The Commissioner’s Correspondence Unit collects, retains and discloses information necessary to manage all aspects of customer communications and feedback to address concerns, queries, requests, complaints and suggestions from the public.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

<p>Concessions & Franchises</p> <p>The Franchises and Concessions Unit collects, retains and discloses, information received from the public in their applications for concessions and/or franchises in the performance of core functions of the unit of allowing the public to do business with the city and providing more safe and efficient spaces in the city for citizens to use.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Dangerous Vehicle Abatement Program (DVAP)</p> <p>DVAP administers an educational program for registered owners of vehicles that have accumulated red light and speed camera violations in accordance with Subchapter 4, Chapter 1 of Title 19 of the New York City Administrative Code. The unit obtains identifying information from fully adjudicated violations from the New York City Department of Finance (DOF) and accesses New York State Department of Motor Vehicle's and DOF's databases to verify the validity of license plates and vehicle registrations as well as to check current and past mailing addresses.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Equal Employment Opportunity, Diversity and Inclusion (EDI)</p> <p>The EDI Office collects and retains various personnel related information and records in the performance of core equal employment and diversity functions including conducting investigations.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Ferries</p> <p>The Ferries Division collects, retains and discloses identifying information necessary to operate the Staten Island Ferry and oversee private Ferries additionally it submits necessary information required for New York State Department of Criminal Justice Peace Officer Certification.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p>Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Highway Inspection Quality Assurance (HIQA)</p> <p>The HIQA Unit collects, retains and discloses information necessary to inspect and issue summonses for defacement cases, where individual property owners are named as respondents.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Human Resources (Department of Occupational Safety and Health)</p> <p>The DOSH Unit collects, retains and discloses information necessary in performing core duties of ensuring that the workplace conforms to applicable standards and that employees use safe tools, equipment, and protective gear and in managing the Agency's compliance with federal state and local occupation safety and health laws.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Human Resources (Drug & Alcohol Testing Unit)</p> <p>The Drug and Alcohol Testing Unit collects, retains and discloses information required for compliance with various federal employee drug and alcohol testing regulations and the enforcement of contractual testing for some civil service titles.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>

<p>Human Resources (Facilities and Security Management)</p> <p>The Facilities and Security Management Unit collects, retains and discloses information necessary to support the Agency’s real estate portfolio including environmental and other code compliance in addition to monitoring security such as theft vandalism or other crimes on Agency property.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Human Resources (Labor Relations)</p> <p>The Office of Labor Relations collects retains and discloses information required to perform its core functions of enforcing labor agreements, guaranteeing rights of employees to union activities and interfacing between management and the Mayor’s Office of Labor Relations.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input checked="" type="checkbox"/> Approve as routine by two or more agencies</p> <p>Approved by APO on a case-by-case basis</p>
<p>Human Resources (Payroll and Personnel)</p> <p>The Payroll and Personnel Units collect, retain and disclose, various payroll and personnel-related information and records in the performance of core administrative and human resource functions.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input checked="" type="checkbox"/> Approve as routine by two or more agencies</p> <p>Approved by APO on a case-by-case basis</p>
<p>Human Resources (Training and Development)</p> <p>The Training and Development Unit collects, retains and discloses information required for licensing and certification of staff including for FDNY compliance for employees who use equipment with components or fuel that fall under the NYC fire code or employees who are Required to oversee or sign-off on inspections or equipment that falls under the jurisdiction of the FDNY.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>IT and Telecom</p> <p>The IT&T Division collects, retains and discloses information in the performance of IT related functions including but not limited to hosting, database administration and management, helpdesk, asset management and cyber security.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Language Access</p> <p>The Language Access Unit collects and retains limited NYC customer information during the performance of the core function of providing language accessibility to members of the public who speak various languages so that they may be better able to understand the information DOT provides and take advantage of opportunities and innovations DOT provides.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Legal Affairs</p> <p>The Legal Affairs Division collects, retains and discloses identifying information necessary in performing its core mission as Counsel for the Agency, performing transactional, contract, and regulatory compliance, litigation, litigation support, Freedom of Information Law (FOIL), records management and other legal functions.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input checked="" type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>

<p>Permit Management Office</p> <p>The Permit Management Office collects and retains identifying information provided by permittees in furtherance of its core mission of reviewing and approving applications for construction on city roadways and sidewalks.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Recoupment</p> <p>The Recoupment Unit collects, retains and discloses information necessary to recover expenses paid for damage to Agency property by members of the public.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Sidewalks Unit</p> <p>The Sidewalks Unit collects, retains and discloses information on property owners in the performance of the unit’s core mission of making sidewalks safe and accessible, by among other functions, inspecting sidewalks and issuing violations to property owners.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Strategic Communications Unit (including Social Media)</p> <p>The Strategic Communication Unit collects, retains and shares identifying information submitted by the public as a core function of its mission of informing the public via social media and other avenues of communication, of initiatives and programs that affect residents and visitors.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Traffic Operations (Parking Permit Unit)</p> <p>The Parking Permit Unit collects, retains and discloses information needed to provide applicants with parking permits in furtherance of its core mission of providing parking permits for persons with disabilities, special uses and for city and various other vehicles.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input checked="" type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Traffic Operations (Parking Administration Modelling & Data Analysis)</p> <p>The Parking Administration Unit collects and retains data received from the TLC in order to perform its core function of identifying and implementing state-of-the-art analytical techniques focusing on the assessment of roadway network operations. These techniques are used to further regional planning, short- and long-term planning strategies, maintenance and protection of traffic plans, geometric and operational roadway alterations.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Transportation Planning & Management (Public Space)</p> <p>The Public Spaces Unit collects and retains identifying information in order to perform its core mission of transforming underused streets into vibrant, social public spaces during certain months of every year by way of its Street Furniture Program which allows citizens to partner with DOT.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>

<p>Transportation Planning & Management Research and Implementation and Safety (RIS)</p> <p>The RIS Unit collects, retains and discloses records that contain identifying information for research needed to inform policies and procedures regarding safety.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input checked="" type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Agencywide</p> <p>All DOT Divisions collect, retain and share identifying information routed from submissions by the public to DoITT's 311 or via other communication to the Agency that may contain identifying information. This process is part of the Agency's core mission of promptly responding to safety concerns as well as investigating, inspecting and repairing defective conditions.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the city.

Describe Type of Collection or Disclosure

N/A

- Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.**

The current policies are of cooperation and collaboration with other Mayoral Agencies. Pre-approved access to data and databases is given by IT and Telecom and the unit heads to other Agency users as required, in order to execute routine functions in furtherance of our Agency's and the City's mission. Users of Agency databases are afforded the most restricted access necessary for them to perform required tasks. Memorandum of Understanding (MOUs), contract clauses and data sharing agreements include appropriate language constraining the parties to use data only as required and agreed upon. Generally, requests for Agency records (including records containing identifying information) are routed to the FOIL unit, Agency staff route requests for pre-approval to the APO. The APO consults with the CPO and her staff and provides appropriate guidance to Agency staff.

5. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors? Yes No

6. If YES, do those policies specify that access to identifying information must be necessary to perform their duties? Yes No

7. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.

DOT staff contact Agency attorneys in the appropriate Division of Legal Affairs units for advice when presented with requests for records outside the scope of the unit's regular workflow. Attorneys for contractors also contact DOT attorneys if they require a release from a contract confidentiality clause.

8. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

DOT utilizes MOUs and data sharing agreements with other agencies regarding what can be disclosed, who has access, and how information can be used. Other requests are routed through the FOIL Unit.

9. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.

Existing Agency disclosures have been classified as "routine" following a review of the current procedures using the guidance received by the agencies from the CPO.

10. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

Staff assigned to specific units that need to routinely disclose identifying information in performing the functions of their mission, disclose unit specific or topic specific identifying information that they are trained and authorized to disclose.

11. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

N/A

12. Describe the agency's use of agreements for any use or disclosure of identifying information.

The Agency utilizes MOUs, data sharing agreements and appropriate contract clauses to identify items that may include identifying information and stipulate the specific purposes for which the information is collected, retained and shared and the parameters for disclosure.

13. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
<p>Corporation Counsel of the City of New York Private attorneys representing DOT</p>	<p>Disclosure in Litigation</p>	<p>Information necessary for our attorneys at the Corporation Counsel of the City of New York to represent us is shared. Information is disclosed so that Corporation Counsel can give legal advice to the Agency.</p>
<p>Various Agencies such as - FTA FHWA NYSDOT DCAS MOCS Comptroller, FCR, OATH, DOI, NYPD, OLR, EEOC, DMV, OPA, USDOJ, OSHA, PESH, FDNY, USCG, DSNY, DOB, ECB</p>	<p>Disclosure to Local State or Federal Oversight</p>	<p>Information necessary to comply with legal mandates for disclosure.</p>
<p>Various Contractors and Consultants</p>	<p>Disclosures to Contractors and Consultants</p>	<p>The Agency contracts with various entities in a variety of files such as construction and rehabilitation projects, drug and alcohol testing, fitness for duty examination and other medical examination.</p>
<p>Various Contractors and Consultants Federal Local and State oversight agencies</p>	<p>Health and Safety Prevention Disclosure</p>	<p>Identifying information contained in records such as are required for functions related to drug and alcohol testing, employees' safety training and employees' on the job injuries is shared as required.</p>
<p>Members of the public, Elected officials and Community Boards</p>	<p>Disclosure for customer service purposes</p>	<p>Response to concerns of the public regarding safety and other core functions, dissemination of information</p>
<p>Office of the Comptroller and other oversight entities</p>	<p>Disclosure to Auditors</p>	<p>Accountability, identifying and preventing fraud and waste detecting and recovering improper payments, legal requirement, oversight.</p>
<p>The public</p>	<p>Disclosure in response to FOIL</p>	<p>Legal requirement</p>
<p>Labor unions, OLR, Administrative hearing bodies</p>	<p>Disclosure to Labor Organizations</p>	<p>Legal/contract requirement, collective bargaining</p>
<p>Office of the Comptroller, MOCS</p>	<p>Disclosure related to procurement</p>	<p>The procurement process is necessary in furthering the Agency's mission.</p>



14. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

Identifying Information Law – The Agency has greater awareness of the Identifying Information Law and the need for pre-approval before data sharing or other disclosure.

Re other Laws - Procedures for collection, retention and disclosure of information continues to be restricted.

N.Y.C. Admin. Code §23-1205(a)(2)

15. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

The Agency continuously works to adhere to policies and protocols that are issued.


N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

Name:	Tamara Murray		
Title:	Deputy Counsel/Agency Privacy Officer		
Email:	Tmurray2@dot.nyc.gov	Phone:	212-839-9834

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):			
Name:	Ydannis Rodriguez		
Title:	Commissioner		
Email:		Phone:	212-839-6400
Electronic Signature:		Date:	8/23/22

— End of Document —