

Comment from Anonymous

NHTSA-2020-0017-0001

This comment is to address (1) whether the proposed collection of Information Collection Request (ICR) on a motorcycle rider segmentation study for which NHTSA intends to seek OMB approval is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility and its potential effect on the LGBTQ community; and (4) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Response to Comment 1:

The proposed collection of gender-based category information for the motorcycle rider segmentation study has the potential to be biased against transgender members of the LGBTQ community. By segregating riders based on gender, the study does not confirm whether participants are segregated based on their current gender identity or whether they were biologically born that gender. If your representatives are seeking participants for the survey at events such as the Sturgis rally in South Dakota, one can imagine the conversations your representatives might have when determining whether one meets the potential criteria for a certain gender.

Segregating categories by a gender category, without specifying gender identity, leaves the potential for confusion and potentially uncomfortable conversations amongst members of the general public who may be questioned for this survey. Additionally, the confidentiality and privacy safeguards necessary for this type of a survey are not addressed in this disclosure. Those reviewing this potential survey must take into account the Freedom of Information Act ("FOIA") and how that might be utilized by others to gain access to this information. If the survey results would potentially be available to the public under FOIA, this disclosure should be highlighted and expressly conveyed to any potential respondents in order to avoid inadvertent disclosure of a person's sensitive information.

Furthermore, the statement that the non-owner female category survey focuses on "female empowerment to make their own decisions" is sexist and straight out of the 1950s. It is 2021; females are fully capable of making their own decisions.

To be fair and equal, if the survey has a segregated category of females as non-owner riders (e.g. passengers), the survey should also have a segregated category of males as non-owner riders (e.g. passengers). There are many women that own motorcycles and ride with male passengers. This survey should not automatically assume that males own the motorcycles and females are mere passengers.

Thus, this survey should clarify on its face if the intention is to be segregated by gender identity, reveal any potential disclosures of this information and any confidentiality provisions included,

and include a category for male non-owners (e.g. passengers). While there may be practical utility in further analyzing this segment of the populations, these safeguards must be implemented to ensure the LGBTQ community, among others, are informed and treated equally.

Response to Comment 4:

I oppose utilizing automated collection techniques or the use of other forms of information technology in conducting this survey if the technology includes planting cookies on the unsuspecting respondent's electronic devices. By allowing third-party applications to conduct this survey, unless there is a significant fee involved, it is highly likely the application makes money by planting surveillance cookies on the users' devices. Thus, a motorcycle rider could be subject to illicit surveillance from the third party for all kinds of personal and sensitive data.

This use of third-party applications and cookies can have an extra traumatizing affect on the transgender community. If the government requires one's gender to be disclosed and specifically weighted in this survey; the information could potentially be utilized to track and sell the user's information. The data could end up being sold to data brokers or placed on the dark web.

A potential solution to this challenge would be for the government to create its own technology platform that did not plant any cookies on the user's device. Perhaps this type of platform already exists or could be created and utilized for a variety of programs.

In summary, I oppose this proposal as the proposed collection of gender information is too broad and may not be necessary for the proposed purpose, may not have any legitimate practical utility, and the use of automated collection techniques or other forms of information technology to collect the gender information may harm or exploit motorcycle riders. Modifications to improve this proposal, as noted above, are likely to greatly improve the potential impact on all riders involved.