

**Department of Transportation  
Office of the Chief Information Officer**

**SUPPORTING STATEMENT  
DRIVER QUALIFICATION FILES**

**SECTION A. JUSTIFICATION:**

**Introduction:** This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the revision of the OMB Control Number 2126-0004, "Driver Qualification Files," information collection, which is currently due to expire on September 30, 2007.

**1. Circumstances that make collection of information necessary:**

The Motor Carrier Safety Act of 1984 (Public Law 98-554, Title II, 98 Stat 2834 (October 30, 1984)) (Attachment A) requires the Secretary of Transportation (Secretary) to issue regulations pertaining to commercial motor vehicle safety. A motor carrier is required to maintain specified information in a driver qualification file for each commercial motor vehicle (CMV) driver it employs. The driver qualification file contains the minimum information necessary to document the qualifications of a driver to operate a CMV in interstate commerce. The authority to require carriers to maintain driver qualification files is 49 U.S.C. §§ 504 (Attachment B), 31133 (Attachment C), 31136 (Attachment D), and 31502 (Attachment E), and 49 CFR § 1.73 (Attachment F).

This information collection supports the DOT strategic goal of safety. The information substantiates the driver's qualifications to operate a CMV in interstate commerce safely, and in intrastate commerce under compatible State laws and regulations, prior to the driver operating a CMV.

**2. How, by whom, and for what purpose is the information used:**

The public interest in highway safety demands the hiring of drivers whose records demonstrate their ability to operate CMVs safely, and to withstand the physical and mental demands of their occupation. Motor carriers use the driver qualification file to document their analysis that a driver: (1) is physically qualified to operate a CMV, (2) has the experience and/or training to safely operate the type(s) of CMV he or she is assigned to drive, (3) has the appropriate driver's license, (4) is not disqualified from operating a CMV, and (5) does not have a history of high risk behavior. The driver qualification files assist the motor carrier in assessing safety risk. Without the driver qualification files, it would be very difficult for the motor carrier to make this assessment.

**3. Extent of automated information collection:**

Because these rules frequently involve the transmission and maintenance of records, a significant percentage are susceptible to electronic communication and capture.

However, the agency lacks data to support what actually may be occurring in the industry. FMCSA estimates conservatively that 20% of these activities are in fact performed electronically, but the percentage is increasing with time.

#### **4. Efforts to identify duplication:**

The FMCSA is the only Federal agency given the authority to regulate the qualification of CMV drivers operating in interstate commerce. The driver qualification file is not duplicative of any other requirement.

#### **5. Efforts to minimize the burden on small businesses:**

Small motor carriers often employ part-time drivers. These drivers may undertake other part-time employment as a driver. Agency rules permit abbreviation of the contents of driver qualification files to avoid unnecessary duplication and burdensome recordkeeping (40 CFR §§ 391.63 and 391.65) (Attachment G). In some instances the motor carrier regularly employing the driver may simply furnish a “Qualification Certificate” to other carriers who also employ that driver. The certificate serves in lieu of all the data that would normally be required for the driver qualification file, so that the second carrier is freed from most of the recordkeeping obligations encompassed by the driver qualification file.

The following motor carrier operations are exempt from all recordkeeping requirements related to driver qualification files: (1) farm custom-harvesting operations (§ 391.2(a)); (2) beekeepers (§ 391.2(b)); (3) farmers using nonarticulated CMVs to transport farm machinery, farm supplies, and/or agricultural products within 150 air-miles (§ 391.2(c) and § 390.5); and (4) nonbusiness private motor carriers of passengers (§ 391.68). Farmers using articulated CMVs to transport farm machinery, farm supplies, and/or agricultural products within a radius of 150 air-miles are exempt from some recordkeeping requirements (§ 391.67).

On March 14, 1996, the Federal Highway Administration (FHWA) (predecessor agency of FMCSA) published a notice of proposed rulemaking (NPRM) titled, “Safety Performance History of New Drivers,”(61 FR 10548 at Attachment G) related to this information collection. The Small Business Administration (SBA) requested greater detail on the calculation of the estimated paperwork burden. Several commenters, including the SBA, J.B. Hunt and Mobil Corporation, were also concerned about limits on the ability of a motor carrier to investigate those hours-of-service violations that lead to out-of-service orders. FMCSA answered both of these concerns on July 17, 2003, in a supplemental notice of proposed rulemaking (SNPRM) titled, “Safety Performance History of New Drivers” (68 FR 42339 at Attachment H). The agency provided the details sought by the SBA, and eliminated its proposal pertaining to out-of-service orders. Finally, in the preamble of the final rule titled, “Safety Performance History of New Drivers and Minimum Training Requirements for Longer Combination Vehicles (LCV) Operators and LCV Driver-Instructor Requirements,” (69 FR 16684 at Attachment I) dated March 30, 2004, FMCSA recognized that while previous employers can charge a

fee for the safety performance history of their former drivers, they may not condition release of this information upon payment of a fee.

**6. Impact of less frequent collection of information:**

Some documents in the driver qualification file are never revised or reviewed after it is collected. Some must be completed before a driver begins driving for a motor carrier; others are required within 30 days of starting employment as a driver. Others are required annually, such as the driver's current State driving record.

**7. Special circumstances:**

There are no special circumstances related to this information collection.

**8. Compliance with 5 CFR § 1320.8:**

On July 17, 2003, FMCSA published an SNPRM titled, "Safety Performance History of New Drivers" (Attachment I) and requested public comment. In 2004, following further analysis and review of the comments by FMCSA, the agency adjusted several reporting burdens.

FMCSA published a notice in the Federal Register (72 FR 29031) with a 60-day public comment period to announce this proposed information collection on May 23, 2007 (see Attachment K). No comments were received in response to this notice.

FMCSA published a notice in the Federal Register (72 FR 51891) on September 11, 2007 with a 30-day public comment period that announced this information would be sent to OMB for approval (Attachment L).

**9. Payments or gifts to respondents:**

The FMCSA does not provide respondents with any payment or gift for providing this information.

**10. Assurance of confidentiality:**

FMCSA and DOT have preserved confidentiality by requiring employers to place certain sensitive records in a secure area apart from their regular files. Access to the records must be limited. A motor carrier may grant access to these files only to its personnel whom it has authorized or to an FMCSA investigator conducting a motor carrier compliance review.

**11. Justification for collection of sensitive information:**

This information collection involves some data of a sensitive nature. The agency has taken all reasonable steps to limit access to this data (see # 10)

## **12. Estimate of burden hours for information requested:**

FMCSA estimates that the total annual hour burden of the information collection associated with the determination of driver qualification is **3,254,580 hours**.

FMCSA estimates that there are currently 7,000,000 CMV drivers. For those drivers and motor carriers operating in interstate commerce, the burdens of the driver-qualification-file rules are the direct result of the application of Federal law. For those drivers in intrastate commerce, the burdens are indirect. The burden occurs because almost all States receive grants under the Motor Carrier Safety Assistance Program (MCSAP), and such grants require recipient States to adopt laws and regulations that are compatible with the Federal Motor Carrier Safety Regulations (FMCSRs). Therefore, FMCSA includes in its calculations the burden imposed on intrastate motor carriers and drivers.

FMCSA regulates the safety of a broad spectrum of motor carrier operations. It does so with a set of rules for all motor carriers and drivers and a set of rules for motor carriers and drivers of heavy trucks (generally, in excess of 26,001 pounds gross vehicle weight rating). The latter set of rules is known as the “Commercial Driver’s License (CDL) rules.” CDL refers to the Commercial Drivers License required of all operators of heavy trucks. One example is that a heavy truck operator is subject to drug and alcohol testing, including random testing, but operators of lighter trucks are not. The requirement for a driver qualification file is applicable to all CMV operations; however, the CDL rules require motor carriers to maintain several additional items for the driver qualification file of the operator of a CDL truck.

The Paperwork Reduction Act burden of these additional requirements for heavy truck operations are accounted for separately in the information collection titled, “CDL Testing and Standards,” OMB 2126-0011. Those burdens applicable to all CMV operators are accounted for in this collection, “Driver Qualification Files,” OMB 2126-0004. Both CDL and non-CDL drivers are required to provide their safety employment history for the most recent 3 years, but holders of CDLs are required to provide a total of 10 years of safety employment history. Therefore, the burden associated with the first 3 years of safety history is included in this collection, and the burden associated with providing safety history for years 4 through 10 is included in -0011 collection. Similarly, applicants for a CDL must furnish information on their application beyond that required from applicants for a CMV license. The burden associated with providing the additional CDL information is also accounted for in OMB 2126-0011.

On March 30, 2004, the agency added to its rules a requirement for motor carriers to investigate the DOT-related truck driving experience of all applicants for driver positions (69 FedReg 16721). Due to the sensitive nature of these records, the agency also required that all records related to this safety history investigation “be maintained in a secure location with controlled access.” (49 CFR 391.53(a)(1)). The motor carrier therefore has a special duty with regard to these files; there is no similar duty with regard to the balance of the records discussed in this document. However, for purposes of this document, FMCSA is treating the Driver Employment History file and the Driver

Qualification file as if they were one; the agency believes that the vast majority of motor carriers have chosen to co-locate both of these files, and simply control access to all in accordance with the standard of section 391.53(a)(1).

### **SUMMARY**

The following is a summary of the nine elements of the total burden of 3,243,660 hours. Greater detail follows this Summary under the heading "Greater Detail."

#### **Hiring**

1. The Application for Employment  
1,213,333 hours
  2. The Applicant's Driving Record  
227,500 hours
  3. Investigation and Review of Safety Performance History  
728,000 hours
  4. Driver review of his/her Safety History  
48,533 hours
- Sub Total of 1-4: **2,217,366 hours**

#### **Annual Review**

5. Certificate of Violations  
203,000 hours
  6. Annual Review of Driving Record  
507,500 hours
  7. Drivers for More Than One Motor Carrier  
128,334 hours
- Sub Total of 5-7 **838,834 hours**

#### **Safety History**

8. Provide 3 years of Employment History of Drivers Upon Request  
182,000 hours
  9. Duties Associated with Drivers Who Rebut Employment History  
5,460 hours
- Sub Total of 8-9 **187,460 hours**

**TOTAL (1 - 9): 3,243,660 hours**

#### **GREATER DETAIL**

A more detailed description of the nine (9) items above follows.

#### **Introduction**

- FMCSA estimates that there are **7,000,000** truck drivers in the United States, and that there are **910,000** job openings for truck drivers each year.
- FMCSA also estimates that, on average, hiring motor carriers seek background information on **three (3) driver-applicants** for each job opening.

- Thus motor carriers conduct investigations of the background of **2,730,000** applicants each year [910,000 job openings x 3 driver-applicants = 2,730,000].

Job Openings	Average Number of Background Investigations Conducted Per Job Opening	TOTAL Background Investigations
910,000	3	2,730,000

**The Driver Hiring Process**

1. The Application for Employment (§ 391.21). Applications: FMCSA estimates that 5 drivers apply for each driver job opening, for a total of 4,550,000 applications [910,000 job openings x 5 drivers = 4,550,000].

DRIVER:

Driver Burden to Complete 1 Application: 15 minutes

Total Burden on all Drivers: **1,137,500 hours**

[4,550,000 applications x 15 minutes per application/60 minutes in an hour = 1,137,500].

MOTOR CARRIER:

Motor Carrier Burden to Receive and File 1 Application: 1 minute

Total Burden on all Motor Carriers: **75,833 hours**

[4,550,000 applications x 1 minute per application/60 minutes in an hour = 75,833].

FMCSA estimates that the requirements related to the application for employment impose an annual burden of:

**1,213,333 hours** [1,137,500 hours burden for drivers + 75,833 hours burden for motor carriers = 1,213,333].

2. The Applicant’s Driving Record (§ 391.23). The safety director or another appropriate motor carrier official must request the driving record of its successful driver-applicants for the preceding 3 years. FMCSA believes that motor carriers will request the driving record of an average of 3 applicants per position offered. Therefore, the agency estimates that approximately **2,730,000** requests for driving records will be made per year [3 background investigations x 910,000 job openings = 2,730,000].

FMCSA estimates that it takes approximately 5 minutes to complete all activities associated with this requirement, including requesting the record, receiving the record, and filing the record. The agency also estimates that the requirements related to the annual request for official driving records impose an annual hourly burden of **227,500 hours** [2,730,000 requests x 5 minutes per request/60 minutes = 227,500].

3. Investigation and Review of Safety Performance History (§ 391.23). As of March 30, 2004, all motor carriers must investigate the safety performance history of all successful applicants as contained in certain records of the motor carriers who employed the applicant over the preceding 3 years. Though there are 910,000 driver job openings each year, no safety performance check is possible for entry-level drivers because they have no prior DOT-regulated truck-driving experience. FMCSA believes that on average **20 percent (%)** of the 910,000 driver positions offered each year are entry-level positions. This eliminates 182,000 of the 910,000 driver positions [910,000 driver positions x .20 (20 percent) = 182,000], leaving a remainder of **728,000 driver positions** [910,000 driver positions – 182,000 entry-level positions = 728,000]. This number (728,000) represents the number of driver *positions* requiring investigation of driver safety history each year. The agency believes that the hiring motor carrier will, on average, investigate the safety performance history of 3 driver-applicants for each position, so that **2,184,000 safety history investigations** are conducted each year [728,000 driver positions x 3 driver-applicants per position = 2,184,000].

FMCSA estimates that the hiring motor carrier can complete all aspects of this investigation in 20 minutes. Thus, the total annual burden for this element is **728,000 hours** [2,184,000 job openings x 20 minutes/60 minutes = 728,000].

Job Openings	Non-Entry Job Openings	Average Number of Applicants Per Opening	Total Safety History Investigations
910,000	728,000	3	2,184,000

4. Driver Review of his/her Safety Performance History (§ 391.23).

DRIVER:

A driver who elects to exercise this right directs his request to review his safety performance history to the prospective employer. FMCSA believes that those job applicants who are hired will not exercise this right of review, so we eliminate one-third of the 2,184,000 applicants, or 728,000 applicants [2,184,000 applicants/3], leaving **1,456,000** applicants who *might* exercise the right of review [2,184,000 applicants-728,000 applicants = 1,456,000]. FMCSA believes that only 10 per cent of job applicants will actually exercise this right. That computes to **145,600 requests for review of safety history** to which hiring motor carriers must respond [1,456,000 applicants x .10 (10 percent) = 145,600]. FMCSA estimates that it takes 5 minutes for prospective employers to provide the driver-applicant with a copy of the information it received from the driver’s previous employer(s). Thus, the total annual information burden for this element of the Driver Qualification file is **12,133 hours** [145,600 requests x 5 minutes/60 minutes in an hour = 12,133].

MOTOR CARRIER:

Motor carriers must **notify driver-applicants in writing** of their right to review the data received from previous employers. The vast majority of motor carriers append appropriate language to their employment application form. This activity takes 1 minute per motor carrier, so that the total burden is **36,400 hours** [2,184,000 applicants x 1 minute/60 minutes = 36,400].

FMCSA estimates that the requirements related to the application for employment impose an annual burden of: **48,533 hours** [12,133 hours + 36,400 hours = 48,533].

### **Annual Review**

5. Certificate of Violations (§ 391.27). Each year CMV drivers are required to provide motor carriers with a list of all violations of traffic laws and ordinances, other than parking violations. Those drivers who change jobs during the year do not have to provide this certificate (because they have provided the information as part of the hiring process). FMCSA estimates that 13% of the 7,000,000 truck drivers change jobs each year. The remaining **6,090,000** drivers are subject to this requirement each year [7,000,000 drivers x .87 (100 percent – 13 percent) = 6,090,000].

FMCSA estimates that this activity takes approximately 2 minutes, and therefore the burden for this element of the information collection burden is **203,000 hours** [6,090,000 drivers x 2 minutes/60 minutes = 203,000].

6. Driving Record (§ 391.25). The agency requires motor carriers to review the official driving records of their drivers each year. Those drivers who change jobs during the year are not subject to this requirement (because the motor carrier obtained this information as part of the hiring process). FMCSA estimates that 13% of drivers change jobs each year. Therefore, only **6,090,000** drivers are subject to this requirement each year [7,000,000 drivers x .87 (100 percent – 13 percent) = 6,090,000].

FMCSA estimates that it takes a total of approximately 5 minutes to complete all activities associated with this requirement, including requesting the record, receiving the record, and filing the record. The FMCSA estimates that the requirements related to the annual request for official driving records impose an annual hourly burden of **507,500 hours** [6,090,000 drivers x 5 minutes/60 minutes = 507,500].

### 7. Drivers For More Than One Motor Carrier

a) Multiple-employer Driver - § 391.63. A “multiple-employer driver” is a CMV driver who is employed by more than one motor carrier in any period of 7 consecutive days (§ 390.5). The FMCSA estimates that approximately 10 percent of CMV drivers, or **700,000** [7,000,000 CMV drivers x .10 (10 percent) fall into this category = 700,000].



A motor carrier who employs a multi-employer driver is not required to make any inquiries or investigations into the driver's driving or employment record. However, it must obtain and maintain the driver's name, social security number, and driver's license identification number, type, and State of issuance for any such drivers. FMCSA estimates that it takes a motor carrier approximately 1 minute to record and file this information. The FMCSA estimates the annual hour burden for drivers to be **11,667** burden hours [700,000 drivers x 1 minute/60 minutes = 11,667].

b) Driver Furnished By Another Motor Carrier - § 391.65. A motor carrier using a driver who is not regularly employed by it does not have to maintain a complete driver qualification file for that driver. However, it must obtain and maintain a "Qualification Certificate" from the motor carrier who regularly employs the driver. FMCSA estimates that 20% of all CMV drivers, or **1,400,000**, fall into this category at least once a year [7,000,000 CMV drivers x .20 (20 percent) = 1,400,000].

It takes the regularly-employing motor carrier approximately 2 minutes to complete the qualification certificate. The other motor carrier receives and files the certificate, and must contact the regularly-employing motor carrier to validate the certificate. FMCSA estimates that the total time on task for the recipient motor carrier is 3 minutes. The agency therefore estimates that the recordkeeping requirement for this element of this annual information collection burden is **116,667 hours** [1,400,000 multiple-employer drivers x 5 minutes/60 minutes = 116,667].

The FMCSA estimates that the requirements related to drivers for more than one employer impose an annual hourly burden of **128,334 hours** [11,667 hours + 116,667 hours = 128,334].

### Safety Performance History

8. Provide Safety Performance History To the Hiring Motor Carrier (§ 391.23). All DOT and FMCSA-regulated employers must respond to the request from the hiring motor carrier by providing appropriate safety performance data for the 3-year period preceding the request. There are **2,184,000 requests** for safety performance history made annually (see # 3 above, Investigation and Review of Safety Performance History).

FMCSA estimates motor carriers will require, on average, 5 minutes per request to report the driver's safety performance data to prospective employers. The annual burden for this requirement is **182,000 hours** [2,184,000 investigations x 5 minutes/60 minutes = 182,000].

9. Rebuttal of Safety Performance History (§ 391.23).

Applicant drivers may request from the hiring motor carrier a copy of the safety performance history that their previous employer provided to the motor carrier. The hiring motor carrier must honor the request and provide a copy of the history to the driver. Then the applicant driver may rebut some, or all, of the history in writing, directed to the previous employer.

The elements of the Rebuttal burden are:

- (a) Hiring motor carrier – Create and forward a copy of the safety performance history, as received from the previous employer, to the driver applicant,
- (b) Applicant Driver’s Request for a Copy of Safety Performance History – Write to the hiring motor carrier asking for a copy of the safety performance history as provided to it by the previous employer, and
- (c) Applicant Driver’s Request to Correct or Modify History– Write to the previous employer seeking correction or modification of the safety performance history provided to the hiring motor carrier by the previous employer.

If an applicant driver remains dissatisfied with his or her safety performance history as amended, the FMCSRs provide procedures for seeking resolution. However, the Agency believes that such proceedings are very rare. When the dispute reaches this point, the percentage of prospective employers that will have accumulated sufficient collateral information to allow them to make the hiring decision is so high as to render further analysis by FMCSA meaningless in light of the total overall burden of this information collection.

The burden associated with the three elements of the Rebuttal burden (a - c above) is:

- (a) Hiring Motor Carrier: Motor carriers must request the safety performance history of any driver it hires, from certain previous employers of that driver. The hiring motor carrier also must respond to a request from any driver whose safety performance history it has received in this manner. The response is limited to providing the driver with a copy of what the hiring motor carrier received from the previous employer.

FMCSA estimates that **2,184,000** safety history requests are made by hiring motor carriers each year (a detailed discussion of this element appears in # 3 above, “Investigation and Review of Safety Performance History”). FMCSA further estimates that **5 percent** of the 2,184,000 histories will be the subject of a request from a driver to receive a copy of its safety performance history. Therefore, each year drivers make **109,200** requests for a copy of the history as submitted by their past employers (2,184,000 x .05 = 109,200).

FMCSA estimates that it takes 3 minutes for the hiring motor carrier to provide a copy of the safety performance history to the driver-applicant. The burden for this element of this information collection is

**5,460 hours** (109,200 requests x 3 minutes per request/60 minutes)

(b) Driver Applicant’s Request for a Copy of Safety Performance History: As seen above, FMCSA estimates applicant drivers submit 109,200 requests for a copy of their driving history to hiring motor carriers each year. FMCSA estimates that it takes the driver 3 minutes to write the request. Therefore, the burden for this element of the information collection is

**5,460 hours** (109,200 requests x 3 minutes per request/60 minutes).

c) Driver Applicant’s Request to Correct or Modify History: FMCSA estimates that 10 percent of the drivers who request and receive the safety performance history will develop and forward a rebuttal to the former employer asking for correction of the record. As seen above, FMCSA estimates that **109,200** drivers request their safety history. Therefore, **10,920** requests for correction or presentations of rebuttal are made each year (109,200 x 0.10). FMCSA estimates that it takes 30 minutes to create and forward a rebuttal to a past employer. Therefore, the burden for this element is

**5,460 hours** (10,920 x 30 minutes per request/60 minutes).

FMCSA estimates, therefore, that a total of **16,380 hours** of burden are associated with rebuttal of safety performance history.

The following is a recap of the estimated burden of each element.

	<b>Element Number</b>	<b>Hours of IC Burden</b>
<b>Hiring</b>	#1	1,213,333
	#2	227,500
	#3	728,000
	#4	48,533
<b>Annual Review</b>	#5	203,000
	#6	507,500
	#7	128,334
<b>Safety Performance History</b>	#8	182,000
	#9	16,380
<b>TOTAL HOURS</b>		<b>3,254,580</b>

**13. Estimate of total annual costs to respondents or record keepers:**

Known Non-Salary Costs

The known non-salary costs associated with this information collection are for motor carriers to purchase driver records, called “motor vehicle records” (MVRs). Obtaining these records is required as part of the hiring decision and is done annually. The agency has estimated the maximum cost to the industry as follows:

### *Hiring Process*

Each State incurs an estimated cost per MVR of \$4.00. There is also the added cost for fees to be paid to third-party providers to obtain this information on behalf of the motor carrier. Therefore, we assume an average estimated cost per record of \$5.00.

The FMCSA estimates that **2,730,000** requests for driving records are made per year (see Item 12, # 2 above) at an estimated cost of \$5.00 per MVR. These costs therefore total **\$13,650,000**.

Current approved cost is:	\$ 4,197,980
Net change in burden:	+ <u>9,452,020</u>
New cost is:	<u>\$13,650,000</u>

### *Annual Review*

The FMCSA estimates that motor carriers must obtain 6,090,000 driving records (see # 6 above) at \$5.00 each, for a total of **\$30,450,000**.

Current approved burden cost is:	\$ 29,618,360
Net change in burden:	+ <u>831,640 (\$30,450,000 - \$29,618,360)</u>
	\$ 30,450,000

### Total Non-Salary Costs

**Estimated Total Annual Cost to Respondents: \$44,100,000** = [\$13,650,000 hiring process + \$30,450,000 annual review of driver record = \$44,100,000].

### **14. Estimate of cost to the Federal government:**

This information collection imposes no cost to the Federal government.

### **15. Explanation of program changes or adjustments:**

The new burden of this IC is **3,254,580** hours. Thus, this program adjustment increases the currently approved burden by 718,648 hours (new burden of 3,254,580 - current burden of 2,535,932 hours = 718,648 hours). The increase is primarily the result of updating of the agencies figures concerning the volatile hiring market for truck drivers, and the benefit from the agency having data on the effect of the 2004 rule titled, "Safety Performance History of New Drivers." The rule required a driver's former employer(s) to respond to a request for certain records it has on the subject driver.

### **16. Publication of results of data collection:**

This information collection is recordkeeping in nature. As such, there will be no related publication.

**17. Approval for not displaying the expiration date for OMB approval:**

The FMCSA is not seeking this approval.

**18. Exceptions to certification statement:**

The FMCSA is claiming no exception to any element of the certification statement identified in Item 19 of OMB Form 83-I.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

**Attachments**

- A. Motor Carrier Safety Act of 1984, Public Law 98-554, Title II, 98 Stat. 2834, October 30, 1984.
- B. Title 49 U.S.C. § 504 titled, "Reports and records."
- C. Title 49 U.S.C. § 31133 titled, "General powers of the Secretary of Transportation."
- D. Title 49 U.S.C. § 31136 titled, "United States Government regulations."
- E. Title 49 U.S.C. § 31502 titled, "Requirements for qualification, hours of service, safety, and equipment standards."
- F. Title 49 CFR § 1.73 titled, "Delegation to the Administrator of the Federal Motor Carrier Safety Administration."
- G. Title 49 CFR § 391, Qualification of Drivers and Longer Combination Vehicle (LCV).
- H. An NPRM titled, "Safety Performance History of New Drivers," (at 61 FR 10548), March 14, 1996.
- I. A SNPRM titled, "Safety Performance History of New Drivers," (at 68 FR 422339), July 17, 2003.
- J. A final rule titled, Safety Performance History of New Drivers and Minimum Training Requirements for Longer Combination Vehicles (LCV) Operators and LCV Driver-Instructor Requirements," (at 69 FR 16684), March 30, 2004.
- K. Sixty-day Comments Request Federal Register Notice, (at 72 FR 29031) dated May 23, 2007.
- L. Thirty-day Comments Request Federal Register notice, (at 72 FR 51891) dated September 11, 2007.