

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

**SUPPORTING STATEMENT  
Training Certification for Drivers of Longer Combination Vehicles**

**INTRODUCTION**

This is to request the Office of Management and Budget's (OMB) three-year approved clearance for the renewal and revision of the information collection entitled, "Training Certification for Drivers of Longer Combination Vehicles (LCVs)," covered by OMB Control Number 2126-0026, which is currently due to expire on September 30, 2007.

**Part A. Justification.**

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

Section 4007(b) of the Motor Carrier Act of 1991 (Title IV of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Public Law 102-240, 105 Stat. 1914, 2152; 49 U.S.C. § 31307) (Attachment A) requires the Secretary of Transportation (Secretary) to establish Federal minimum training requirements for drivers of LCVs. The responsibility for implementing the statutory requirement was subsequently delegated to FMCSA (49 CFR 1.73) (Attachment B). The FMCSA, in a final rule entitled, "Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements" (Attachment C) adopted implementing regulations for minimum training requirements for the operators of LCVs (March 30, 2004; 69 FR 16722). The final rule created an information collection burden concerning the certification of new, current and non-grandfathered LCV drivers; grandfathering those current LCV drivers who are eligible for certification; and certification of LCV driver-instructors. The implementing regulations define an LCV as any combination of a truck-tractor and two or more semi-trailers or trailers, which operate on the National System of Interstate and Defense Highways (as defined in 23 CFR § 470.107) (Attachment D) with a gross vehicle weight greater than 80,000 pounds. The purpose of this rule is to enhance the safety of LCV operations on our nation's highways.

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

Drivers are required to present a training certification form to prospective employers to prove they are certified to drive LCVs. Motor carriers must not allow drivers to operate LCVs without ensuring the drivers have been properly trained in accordance with the requirements under 49 CFR part 380 (Attachment E). The training certification form provides this assurance. Motor carriers must maintain a copy of the LCV training certification form in the driver qualification (DQ) file, required by 49 CFR § 380.401(b). During a compliance review (CR), motor carriers responsible for the operation of LCVs must be able to show Federal or State enforcement officials that drivers responsible for

operating such LCVs are certified to do so, based on the training certificate in their drivers' qualification files.

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

This information collection requires the completion and signing of a training certification form. Motor carriers may maintain the required form electronically or via paper copy. Generally, driver qualification files must be maintained at the motor carriers' principle place of business – the training certificate must be included in the DQ file. This information collection requires zero percent (0%) of the training certification forms to be submitted electronically.

**4. Describe efforts to identify duplication:**

The FMCSA is not aware of any other Federal or State entity that requires motor carriers to collect the same information that is required by the LCV training requirements under 49 CFR part 380.

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

The motor carrier industry consists primarily of small businesses, as defined by the Small Business Administration. Many of the motor carriers are independent, self-employed owner-operators. Small motor carriers would be subject to the same requirements as their large counterparts. While it is unclear how many small businesses operate LCVs, the agency believes the number is not large. Therefore, the overall impact of this information collection burden on small businesses is likely to be minimal. While carriers must verify that a driver has proper training before allowing the driver to operate an LCV, it is up to the driver to obtain the required training.

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

The training certification form is required to be completed only once for each LCV driver; the LCV training certification does not expire.

**7. Special circumstances:**

There are no special circumstances related to this information collection.

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

FMCSA published a notice in the Federal Register with a 60-day public comment period to announce its intention to revise this information collection on June 28 2007 (72 FR 35537)(Attachment F). One comment was received in response to this notice (Attachment G). The commenter was a truck driver who pointed out that the skills of a truck driver are best learned by experience, not by formal training. He did not address the information collection aspects of the LCV rules.

FMCSA published a notice in the Federal Register on September 26, 2007 (72 FR 54711) with a 30-day public comment period that announced this information would be submitted to OMB for approval (see Attachment H).

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

Respondents are not provided with any payment or gift for this information collection.

**10. Assurance of confidentiality:**

The driver certification information will be protected to the extent allowed by the Privacy Act of 1974.

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

The information requested and collected is not of a sensitive nature.

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

At the time FMCSA established LCV training requirements under 49 CFR part 380, the agency estimated there were 35,000 drivers operating LCVs. Ninety-five percent of these drivers (or 33,250 LCV drivers) were expected to be grandfathered during the first year following the effective date of June 1, 2004. The agency also estimated that approximately 1,200 new LCV drivers would require training each year, with an additional 1,750 non-grandfathered LCV drivers (or 5 percent of LCV drivers currently operating) requiring training during the first year. In addition, there would be a burden to the motor carrier or other training entity to complete, photocopy and file the training certification form for LCV operation. The Agency is not aware of any new information that would suggest that its estimate of 1,200 new LCV drivers requiring training each year should be revised.

The FMCSA estimates that 10 minutes would be required for this paperwork activity, resulting in an annual information collection burden of **200 hours** [1,200 LCV drivers x 10 minutes/60 minutes = 200 hours].

FMCSA estimates that the burden associated with driver-instructor certification is 3 annual burden hours after the first year of implementation of the final rule. The agency based these estimates on the following:

Because of the specialized nature of LCV training, FMCSA believes there is a low instructor turnover rate. For the purposes of this analysis, FMCSA estimates an annual turnover rate of 10 percent. Based on an estimated annual instructor pool of 60 instructors to train 1,200 new LCV drivers (with each instructor teaching four classes of five students), six new instructors (two classroom instructors and four skills instructors) would need to be certified each year. Therefore, the estimated annual burden associated

with instructor certification would be **3 burden hours** [(2 classroom instructors x 10 minutes = 20 minutes) + (4 skills instructors x 15 minutes = 60 minutes) + (6 new instructors x 15 minutes' administrative burden per instructor certification = 90 minutes) = 170 minutes/60 minutes = 3 burden hours].

Therefore, the total estimated annual information collection burden for the LCV training requirements under 49 CFR part 380 is **203 burden hours** [200 hours for paperwork activities + 3 hours for instructor certification = 203 hours].

<u>Activity</u> <b>Burden to complete and process the annual Certification form for LCV drivers and to certify driver-instructors</b>	<b>Burden Hours for Subsequent Years</b>
■ Training & instructor certification in subsequent years – 1,200 new LCV drivers and 6 instructors annually	<b>203</b>
TOTAL	<b>203</b>

**Estimated Annual Burden Hours: 203 hours** [200 hours for paperwork + 3 hours for instructor certification = 203].

**13. Estimate of total annual costs to respondents:**

Part 380 (49 CFR part 380) imposes recordkeeping requirements on motor carriers. The primary carrier information collection requirement would be to verify drivers' eligibility before allowing them to operate an LCV. In addition, carriers must maintain a copy of the required driver training certificate form in each DQ file. FMCSA estimates the administrative costs for motor carriers to comply with the LCV driver training recordkeeping requirements to be approximately \$5.00 per driver, per year. The annual cost burden is estimated to be **\$6,000** (1,200 new LCV drivers x \$5.00 = \$6,000).

**Estimated Total Annual Costs to Respondents: \$6,000** [1,200 new LCV drivers x \$5.00 per driver = \$6,000].

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

There is no cost to the Federal government for the information collection burden associated with 49 CFR part 380.

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

This revision will result in a program adjustment decrease of annual 16,984 burden hours [17,187 currently approved total first-year burden hours associated with the 2004 final

rule – 203 revised burden hours = 16,984] and \$175,000 in cost to respondents [\$181,000 currently approved costs - \$6,000 revised cost burden = \$175,000].

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

The agency does not intend to publish the results of the information collection burden required by 49 CFR part 380.

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

The FMCSA does not seek approval for not displaying the expiration date of OMB approval for the information collection burden.

**18. Exceptions to certification statement:**

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

**Part B. Collection of Information Employing Statistical Methods.**

**This ICR does not employ statistical methods.**

**ATTACHMENTS**

Attachment A: Title 49 U.S.C. § 31307, “Minimum training requirements for operators of longer combination vehicles.”

Attachment B: Title 49 CFR § 1.73, “Delegation to the Administrator of the Federal Motor Carrier Safety Administration.”

Attachment C: A final rule entitled, “Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and Requirements for LCV Driver Instructors,” (69 FR 16722), published on March 30, 2004.

Attachment D: Title 23 CFR part 470.107, “Federal highway systems.”

Attachment E: Title 49 CFR part 380, “Special Training Requirements.”

Attachment F: 60-day Federal Register notice (72 FR 35537), published on June, 28, 2007.

Attachment G: Comment to the 60-day Federal Register Notice.

Attachment H: 30-day Federal Register Notice (72 FR 54711), published on September 26, 2007.