

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

**SUPPORTING STATEMENT
Commercial Driver Licensing and Testing Standards**

SECTION A. JUSTIFICATION:

This supporting statement is submitted by the Federal Motor Carrier Safety Administration (FMCSA), as required by the Paperwork Reduction Act, to request renewed approval of the information collection titled "Commercial Driver Licensing and Testing Standards" (OMB Control No. 2126-0011) and to revise our existing clearance to include information collection (IC) burdens to account for an increase in the number of commercial driver's license records from 12.2 to 12.8 million and to reflect the addition of three information collection items: 1) "State completing documents for a State CDL compliance review [49 CFR part 384]," 2) "CDL Knowledge and Skills Tests Recordkeeping [49 CFR 384.202]" and 3) driver renewals under "Driver Completion of the CDL Application [49 CFR 383.71]." The most recent clearance of this information collection was approved by the Office of Management and Budget (OMB) as OMB Control No. 2126-0011 on March 07, 2007, for a total of 1,210,401 burden hours, with an expiration date of October 31, 2007. This current submission includes all information collection requirements contained in title 49 CFR part 383 (Attachment A) titled "*Commercial Driver's License Standards: Requirements and Penalties*" and title 49 CFR part 384 (Attachment B) titled, "*State Compliance with Commercial Driver's License Program.*"

1. Necessity of Information Collection:

The licensed drivers in the United States deserve reasonable assurance that their fellow motorists are properly qualified to drive the vehicles they operate. Before the Commercial Motor Vehicle Safety Act of 1986 (CMVSA or the Act at Attachment C) (Public Law 99-570, Title XII, 100 Stat. 3207-170), was signed by the President on October 27, 1986, 18 States and the District of Columbia authorized any person licensed to drive an automobile to also legally drive a large truck or bus. No special training or special license was required to drive these vehicles, even though it was widely recognized that operation of certain types of vehicles called for special skills, knowledge and training. Even in the 32 States that had a classified driver licensing system in place, only 12 of these States required an applicant to take a skills test in a representative vehicle. Equally serious was the problem of drivers possessing multiple driver licenses that enabled these commercial motor vehicle (CMV) drivers to avoid license suspension for traffic law convictions. By spreading their convictions among several States, CMV drivers could avoid punishment for their infringements, and stay behind the wheel.

The CMVSA addressed these problems. Section 12002 of the Act makes it illegal for a CMV operator to have more than one driver's license. Section 12003 requires the CMV driver conducting operations in commerce to notify both the designated State of licensure official and the driver's employer of any convictions of State or local laws relating to traffic control (except parking tickets). This section also requires each person who applies for employment as a CMV operator to notify prospective employers of all previous employment as a CMV operator for at

least the previous ten years.

In section 12005 of the Act, the Secretary of Transportation (Secretary) is required to develop minimum Federal standards for testing and licensing of operators of CMVs which: (a) have a gross vehicle weight rating over 26,001 pounds, (b) have a gross combination vehicle weight rating of 26,000 or more pounds, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds, (c) carry placardable quantities of hazardous materials, or (d) are designed to transport 16 or more passengers, including the driver.

Section 12007 of the Act also directs the Secretary, in cooperation with the States, to develop a clearinghouse to aid the States in implementing the one driver, one license, and one driving record requirement. This clearinghouse is known as the commercial driver's license information system (CDLIS).

The CMVSA further requires each person who has a CDL suspended, revoked or canceled by a State, or who is disqualified from operating a CMV for any period, to notify his or her employer of such actions. Drivers of CMVs must notify their employers within 1 business day of being notified of the license suspension, revocation, and cancellation, or of the lost right to operate or disqualification. These requirements are reflected in 49 CFR part 383, titled "*Commercial Driver's License Standards; Requirements and Penalties.*" Specifically, § 383.21 prohibits a person from having more than one license; § 383.31 requires notification of convictions for driver violations; § 383.33 requires notification of driver's license suspensions; § 383.35 requires notification of previous employment; and § 383.37 outlines employer responsibilities. Section 383.111 requires the passing of a knowledge test by the driver and § 383.113 requires the passing of a skills test by the driver; § 383.115 contains the requirement for the double/triple trailer endorsement, § 383.117 contains the requirement for the passenger endorsement, § 383.119 contains the requirement for the tank vehicle endorsement and § 383.121 contains the requirement for the hazardous materials endorsement.

Section 12011 of the CMVSA states that the Secretary shall withhold a portion of the Federal-aid highway funds apportioned to a State if the State does not substantially comply with the requirements in section 12009(a) of the Act. The information gathered during State compliance reviews is used to determine whether States are complying with these requirements.

A final rule was published on July 31, 2002 implementing 15 of the 16 CDL related provisions of the Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159, 113 Stat. 1748 (Dec. 9, 1999)) (Attachment D) that were designed to enhance the safety of drivers on our nation's highways by ensuring that only safe drivers operate CMVs. These new requirements are contained in 49 CFR part 383 and include: five new major and serious disqualifying offenses (§ 383.51); Non-CMV disqualifying offenses by a CDL holder (§ 383.51); disqualification of drivers determined to be an imminent hazard (§ 383.52); a new school bus endorsement (§ 383.123); a prohibition on issuing a hardship license to operate a CMV while under suspension (§ 384.210); a prohibition on masking convictions (§ 384.226); and various requirements for transmitting, posting and retaining driver convictions and disqualification records

An interim final rule (IFR) was published on May 5, 2003 (68 FR 23844) as a companion rule to the Transportation Security Administration's (TSA's) May 5, 2003 IFR implementing section 1012 of the USA PATRIOT Act (Public Law 107-56) (Attachment E) on security threat assessments for drivers applying for or renewing a CDL with a hazardous materials endorsement. While TSA set the requirements in their final rule; FMCSA has the responsibility as part of the CDL testing and issuance process to ensure that States are in compliance with the TSA requirements.

Interstate motor carriers and drivers are subject to the Federal Motor Carrier Safety Regulations (FMCSRs) and do not have any substantial additional burdens placed upon them. Authority is contained in title XII of Public Law 99-570, with penalty provisions in 49 U.S.C. § 521(b) (Attachment F), as amended by section 12012 of Public Law 99-570.

This information collection supports the DOT Strategic Goal of Safety by requiring that drivers of CMVs are properly licensed according to all applicable Federal requirements.

2. Description and Practical Utility of the Information Collection Activity:

The 10-year employment history information supplied by the CDL holder to the employer upon application for employment (49 CFR § 383.35) is used to assist the employer in meeting his/her responsibilities to ensure that the applicant does not have a history of high safety risk behavior.

State officials use the information collected on the license application form (49 CFR § 383.71), the medical certificate information that is posted to the driving record (proposed) and the conviction and disqualification data posted to the driving record (49 CFR § 383.73) to prevent unqualified and/or disqualified CDL holders from operating CMVs on the nation's highways. State officials are also required to administer knowledge and skills tests to CDL driver applicants (49 CFR § 384.202). The driver applicant is required to correctly answer at least 80 percent of the questions on each knowledge test in order to achieve a passing score on that test. To achieve a passing score on the skills test, the driver applicant must demonstrate that he/she can successfully perform all of the skills listed in the regulations. During State CDL compliance reviews, FMCSA officials review this information to ensure that the provisions of the regulations are being carried out. Without the aforementioned requirements, there would be no uniform control over driver licensing practices to prevent unqualified and/or disqualified drivers from being issued a CDL and to prevent unsafe drivers from spreading their convictions among several licenses in several States and remaining behind the wheel of a CMV. Failure to collect this information would render the regulations unenforceable.

Information submitted by the States will be used by the FMCSA to determine if individual States are in "substantial compliance" with section 12009(a) of the CMVSA. The FMCSA reviews information submitted by the States and conducts such reviews, audits, and investigations of each State once every three years or as it deems necessary to make compliance determinations for all States and the District of Columbia. If this information were not available, the FMCSA would have no means of independently verifying State compliance.

3. Minimizing Burden:

The Government Paperwork Elimination Act (GPEA) (enacted on October 21, 1998, as Title XVII of Public Law 105-277, 112 Stat. 2681) (Attachment G), requires that agencies provide for the option of electronic submission of information and the use of electronic signatures, when practicable. Currently, 49 of the 50 States and the District of Columbia (98 percent) have the capability to electronically transmit 100 percent of the information that is required for the CDL program. The 51 jurisdictions use the Commercial Driver's License Information System (CDLIS) as the means of capturing and exchanging data that is required by 49 CFR parts 383 and 384. The CDLIS is a pointer system with a distributed data base that allows the States and FMCSA to track the driving status and history of persons currently holding a valid CDL and those persons who have been disqualified from operating CMVs that require the driver to have a valid CDL. This means that jurisdictions can obtain or send information regarding any CDL holder in a different jurisdiction by conducting a single inquiry and receiving an immediate response. There are over 16,000,000 transactions in CDLIS annually. Information concerning any convictions of a CDL holder or a person required to have a CDL is transmitted by the State where the driver obtained the conviction to the State of licensure, thereby maintaining the intent of the CMVSA of one driver, one license and one driving record. CDLIS precludes the need for duplicate driving records to be maintained by both the State of licensure and the State of conviction. This information technology serves to reduce the amount of time by each individual State needs to comply with section 12009(a) of the CMVSA. The data contained in CDLIS is also used by FMCSA for verifying State compliance and by Federal and State enforcement officials in verifying the identity and driving status of all CDL holders in carrying out security and enforcement actions.

4. Non-Duplication:

The FMCSA is the only agency with the authority to regulate the testing and issuance of CDLs and the information contained in CDLIS. While TSA has the authority to make the determination that a person is a security risk and therefore must be denied a hazardous materials endorsement on his/her CDL, the State compliance with these TSA requirements is administered by FMCSA as part of the State CDL compliance review process. Therefore, the auditing and compliance review process administered by FMCSA is not duplicative of any other information collections.

5. Minimizing the Burden for Small Business:

The regulatory and safety requirements for all CDL holders regardless of the size of the motor carrier they are working for are the same. No information for the CDL program is collected from employers. The information needed to issue, renew, upgrade or transfer a CDL is collected directly from the driver applicant and any other State where the driver was previously licensed. All information that is contained on CDLIS is obtained by the State of licensure from the driver applicant, States where the driver was previously licensed and States where the driver was convicted of a traffic control violation. All information needed by FMCSA to conduct auditing and compliance reviews of the States' CDL programs is obtained directly from the States or CDLIS.

The requirement under 49 CFR § 383.73 that States must request the complete driving record from all States where the driver applicant was previously licensed to drive any type of vehicle over the past 10 years reduces the burden on all employers, especially small businesses. This requirement helps employers to employ only safe drivers by being able to obtain complete and accurate driver history records from a single source, the current State of licensure.

By virtue of the fact that information needed to administer the CDL program is being collected directly from drivers and States, the FMCSA believes the information collection impact on small businesses or other small entities is not significant.

6. Considerations of Alternatives:

Currently, most of the information that a driver applicant must provide the State to be issued a CDL is only collected once at the initial issuance of the CDL and recorded in CDLIS. The driver is only required to update information that is no longer valid and self certify his/her eligibility to continue holding a CDL when he/she renews the CDL. The renewal period is set by the individual State based on the number of drivers in the State, budget and staff available to process the issuance of licenses. The average renewal period is currently 5 years.

Drivers currently must report to their employer convictions within 30 days of being convicted and disqualifications within 1 business day of being notified of the driver's disqualification by their State of licensure. Less frequent reporting of convictions and disqualifications would expose unsafe drivers to the rest of the driving public for longer periods of time and would be counter productive to FMCSA's efforts and goals to reduce CMV crashes and fatalities.

States are currently required to transmit out of State convictions to the State of licensure within 30 days of the conviction and disqualifications within 10 days of the disqualification action. As of September 30, 2008, States must also transmit the convictions within 10 days. States are currently required to post convictions to the driver's record within 10 days of receiving an out of State conviction or in the case of an in-State conviction within 10 days of the conviction. Less frequent reporting of convictions and disqualifications would expose unsafe drivers to the rest of the driving public for longer periods of time and would be counter productive to FMCSA's efforts and goals to reduce CMV crashes and fatalities.

FMCSA currently performs a CDL compliance review on a State every 3.4 years or sooner if a compliance problem is uncovered. In addition, a State is required to evaluate their CDL program every year and send FMCSA a self certification as to their current compliance with the Federal CDL compliance requirements. In spite of these frequent reviews of State CDL programs, FMCSA is still uncovering new compliance issues during each compliance review. Any less frequent reviews would greatly reduce the safety benefits of the CDL program in preventing unqualified drivers from obtaining a CDL and efforts to remove problem drivers from the nation's highways. It would also lead to a lack of national uniformity among the 51 jurisdictional CDL programs.

7. Paperwork Reduction Act Guidelines:

There are no special circumstances related to this information collection.

8. Consultations:

FMCSA consults on a regular basis with the State driver licensing agencies and the American Association of Motor Vehicle Administrators during compliance reviews, meetings and working groups concerning the frequency of data collection, clarity of instructions and ways to minimize the burden of data collection. FMCSA also consults on a regular basis with motor carrier industry groups and driver organizations through public forums and industry meetings.

On July 10, 2007 (72 FR 37563) (Attachment H), FMCSA published a notice in the Federal Register requesting public comments on the proposed revision of this information collection. The agency received one comment that pertained to this information (Attachment I) during the public comment period. It was in the form of a report on third-party tester covert monitoring operations from the State of North Carolina's Division of Motor Vehicles. The report did not provide any information that would affect the information collection burden estimate for this information collection. A second comment was received from the New York State DMV after the comment period was closed regarding the burden hour calculations for several of the components in the notice that are based on information submitted by all jurisdictions to FMCSA. However, the respondent understood that these figures may be valid based on the methodology used for national estimates. In addition, FMCSA published a second notice on October 17, 2007 (72 FR 58929 (Attachment J), with a 30 day comment period that announced this information collection was being submitted to OMB for approval.

9. Incentives to Respondents:

Respondents are not provided with any payments or gifts for this information collection.

10. Assurances of Confidentiality:

Notifications of convictions for moving violations are confidential and subject to the Privacy Act of 1974, 5 U.S.C. § 552A, as amended (Attachment K). As permitted by section 12007(e) of the CMVSA and the implementing regulations under 49 CFR § 384.225(e), only the following four users and their authorized agents may receive driver history information pertaining to convictions, disqualifications and other licensing actions for violations of any State or local law relating to motor vehicle traffic control (other than parking violations) committed in any type of vehicle:

- States – All information on all driver records;
- Secretary of Transportation -- All information on all driver records;
- Driver – Only information related to driver's record; and
- Employing Motor Carrier or Prospective Employing Motor Carrier – After notification to a driver, all information related to that driver's, or prospective driver's record.

Under 49 U.S.C. §§ 31309(c) (Attachment L) and 49 31106(e) (Attachment M), the Secretary may provide driver record information to other parties based on published policy. The current policy was published in the Federal Register, titled “*Policy on Availability of Information from the Commercial Driver’s License Information System*” (Attachment N) (70 FR 2454) on January 13, 2005. This notice of policy allows access to driver record information by other Federal agencies that can provide the legal basis and need for the information and execute a Memorandum of Understanding (MOU) with the Department and/or FMCSA.

11. Justification for Sensitive Information:

There are no questions of a sensitive nature.

12. Estimates of Total Annual Burden Hours for Respondents:

The CDLIS indicates that there are currently 12.8 million CDL driver records. This figure does not necessarily reflect the number of active drivers and is constantly changing. This is an increase from the 12.2 million CDL driver records reported in the currently-approved IC clearance.

Proposed Annual Burden Hours

General assumptions:

- Currently, approximately 10% of the 12.8 million (or 1.28 million) CDL driver records on CDLIS are either: 1) drivers with expired CDLs, 2) drivers who have been “downgraded,”¹ 3) drivers who have been disqualified for life, and 4) deceased drivers. In all cases, the driver records must be kept on CDLIS to meet Federal or State record retention requirements.
- The number of active CDL driver records is therefore 11.52 million (12.80 million – 1.28 million = 11.52 million).

The proposed IC burden would consist of the following recordkeeping activities (The Agency’s explanation for these proposed burden hour estimates is set forth in further detail below):

Current and Proposed IC Activity for States and CDL Drivers	Current Annual Burden Hours for the IC Activities	Proposed Annual Burden Hours for the IC Activities
Driver to notify employer of convictions/disqualifications	610,000	640,000
Driver to complete previous employment paperwork	384,300	403,200
State to complete compliance certification documents	1,632	1,632

¹ A downgrade means the State either: 1) restricts the CDL to intrastate or excepted service only operation, or 2) the State removes the CDL privilege entirely from the driver license.

State to complete compliance review documents	0	2,400
CDLIS recordkeeping	204,302	212,224
Driver to complete CDL application	10,167	48,000
CDL Tests Recordkeeping	0	84,000
Total Current Burden	1,210,401	1,391,456

Therefore, the FMCSA estimates a **total annual burden of 1,391,456 hours** [640,000 + 403,200 + 1,632 + 2,400 + 212,224 + 48,000 + 84,000 = 1,391,456] imposed on the States and the motor carrier industry. The change in the total annual burden hours is the net result of program adjustments in regard to the increase in the number of total CDL driver records, the decrease in the number of active driver records and the addition of three information collection activities that should have been included in previously approved information collection efforts. This is based on the following calculations:

1. Driver notification of convictions/disqualifications to employer [49 CFR §§ 383.31 and 383.33] (Attachment A):

Assumptions:

- It takes the driver approximately 10 minutes to notify a motor carrier of a conviction.
- Each driver averages approximately 1 conviction every 3 years.
- If the conviction also causes a disqualification, the driver will notify the employer of both actions at the same time.

Therefore,

FMCSA's estimated number of annual responses for the driver to notify the carrier of convictions/disqualifications = **3,840,000 responses** (11.52 million CDL drivers/3 years = 3,840,000).

FMCSA estimates the total annual burden for States to notify the driver of convictions/disqualifications at **640,000 annual burden hours** (3,840,000 convictions x 10/60 hours = 640,000).

2. CDL Holder providing previous employment history to new employer [49 CFR 383.35] (Attachment A):

Assumptions:

- Annual turnover rate is approximately 14%.
- It takes approximately 15 minutes to complete the additional 7 years of employment history that is required of a CDL holder. This only accounts for the additional requirement for a CDL holder and does not account for the 3 years of employment history required of all drivers.

Therefore,

FMCSA's estimated number of **annual responses** for driver turnover = **1,612,800** (11.52 million CDL driver x .14 = 1,612,800).

FMCSA's estimated annual burden for the driver to complete previous employment paperwork = **403,200 annual burden hours** (1,612,800 annual responses x 15/60 hours = 403,200).

3. Annual State certification of compliance [49 CFR § 384.305] (Attachment B):

Assumptions:

- It takes an estimated average of 32 hours to fill out compliance documents.
- There are **51 responses** (50 States and the District of Columbia).

Therefore,

FMCSA's estimate for the States to complete compliance certification documents = **1,632 annual burden hours** (51 responses x 32 hours = 1,632).

4. State completing documents for a State CDL compliance review [49 CFR 384] (Attachment B):

Assumptions:

- A State CDL compliance review is conducted approximately every 3.4 years.
- Since the comprehensive reviews are in their 3rd cycle, States only have to update information from the previous review, rather than fill in documents with completely new information. Therefore, it is estimated that it takes approximately 160 hours to complete the requirement.

Therefore,

FMCSA's estimated number of **annual responses** for State compliance reviews = **15** (51 jurisdictions/3.4 years).

FMCSA estimates the total burden for States to complete the documents for a State CDL compliance review at **2,400 annual burden hours** (15 x 160 = 2,400).

5. CDLIS Recordkeeping [49 CFR § 384.231(d)] (Attachment B):

Assumptions:

- 50 States and the District of Columbia are required to enter data into CDLIS and to perform record checks before issuing, renewing, upgrading or transferring a CDL.
- The average amount of time for each CDLIS inquiry is 2 minutes.
- FMCSA estimates that approximately 25% of convictions result in a disqualification.
- FMCSA estimates that approximately 33% of active driver records have a hazardous materials endorsement.
- FMCSA estimates that approximately 2% of active driver records are transferred to another State each year.
- FMCSA estimates that the average renewal period is approximately 5 years.

Therefore,

- The Agency estimates that there are **576,000 new drivers** (5% of the current total of 11.52 million active CDL driver records) who will obtain a CDL every year.

FMCSA estimated **annual burden** for new driver record transactions is **19,200 hours** (576,000 x 2/60 hours = 19,200).

- The Agency estimates there are **230,400 driver records** (11.52 million x .02 = 230,400) transferred to another State each year.

FMCSA estimates the **annual burden** for driver record transfer transactions at **7,680 hours** (230,400 x 2/60 hours = 7,680)

- The Agency estimates that there are **4,800,000 convictions and disqualifications** (3,840,000 convictions x 1.25 = 4,800,000) related CDLIS transactions each year.

FMCSA's estimated **annual burden** for conviction and disqualification transactions is **160,000 hours** (4,800,000 x 2/60 hours = 160,000).

- The Agency estimates that there are **760,320 driver records** (11.52 million x .33/5 years = 760,320) per year that have a hazardous materials endorsement and must be checked for citizenship/resident alien status and recorded on CDLIS.

FMCSA estimates the annual burden for citizenship/resident alien status transactions at **25,344 hours** (760,320 x 2/60 hours = 25,344)

The following activities comprise the CDLIS recordkeeping burden estimate:

Activity	Transactions (Responses)	Burden Hours
Create New Driver	576,000	19,200
Change the State of Record	230,400	7,680
Change Data (violations and disqualifications)	4,800,000	160,000

U.S. Citizen or Resident Alien (if alien, alien registration #)	760,320	25,344
Total CDLIS	6,430,720	212,224

6. Driver Completion of the CDL Application [49 CFR 383.71] (Attachment A):

Assumptions:

- FMCSA estimates that it takes applicants approximately 1 minute to complete the CDL application. This time does not include the portion of the application that all drivers (for a regular driver’s license) would need to complete.
- FMCSA estimates that there are **576,000 new drivers** (5% of the current total of **11.52 million active CDL driver records**) would obtain a CDL every year.
- FMCSA estimates that the average renewal period is approximately 5 years.

Therefore,

The Agency estimates **an annual burden of 9,600 hours** (576,000 applications x 1/60 hours = 9,600) for new drivers to complete the CDL application.

The agency estimates an **annual burden of 38,400 hours** (11.52 million/5 years x 1/60 = 38,400) for renewal drivers to complete the CDL application.

Activity	Transactions (Responses)	Burden Hours
New Drivers	576,000	9,600
Renewal Drivers	2,304,000	38,400
Total Drivers	2,880,000	48,000

7. CDL Knowledge and Skills Tests Recordkeeping [49 CFR 384.202] (Attachment B):

Assumptions:

- FMCSA estimates that there are 576,000 new drivers (5% of the current total of 11.52 million active CDL driver records) would obtain a CDL every year.
- FMCSA estimates that it takes driver licensing examiners approximately 2 minutes per applicant to record the results of the CDL general and endorsement knowledge tests.
- FMCSA estimates that it takes driver licensing examiners approximately 5 minutes per applicant to record the results of the CDL skills tests.
- FMCSA estimates that approximately 25 percent of the applicants fail the CDL knowledge and skills tests and are therefore not issued a CDL.

Therefore,

- The Agency estimates there are **720,000 knowledge tests** completed every year (576,000 x 1.25 = 720,000)

The Agency estimates the **annual burden** for recording the results of the CDL knowledge test is **24,000 hours** (720,000 x 2/60 hour/test = 24,000 hours)

- The Agency estimates there are **720,000 skills tests** completed every year (576,000 x 1.25 = 720,000)

The Agency estimates **the annual burden** for recording the results of the CDL skills tests is **60,000 hours** (720,000 x 5/60 hour/test = 60,000 hours)

Activity	Responses	Burden Hours
Record Results of CDL Knowledge Tests	720.000	24,000
Record Results of CDL Skills Tests	720,000	60,000
Total Test Recording	1,440,000	84,000

Estimated Total Annual Responses: 16,203,586. See table below:

Number of CDL Responses	
ITEM	RESPONSES
Driver Notification to Employer	3,840,000
Driver Employment History	1,612,800
Annual State Certification	51
State Compliance Review	15
CDLIS Recording	6,430,720
Completion of CDL Application	2,880,000
CDL Tests Recordkeeping	1,440,000
TOTAL	16,203,586

13. Estimates of Total Annual Costs to Respondents:

FMCSA believes that there would be no additional costs to the State driver licensing agencies associated with this information collection.

14. Estimate of Total Annual Costs to the Federal Government:

There is no cost to the Federal government.

15. Explanation of Program Changes or Adjustments:

Total annual burden hours have been adjusted to reflect the net effect of the increase in the number of CDL driver records from 12.2 to 12.8 million, the decrease in the number of active driver records from 12.8 to 11.52 million, and the addition of three information collection items that were omitted in previous renewals as follows: 1) “State completing documents for a State CDL compliance review [49 CFR 384],” 2) “CDL Knowledge and Skills Tests Recordkeeping [49 CFR 384.202]” and 3) driver renewals under “Driver Completion of the CDL Application [49 CFR 383.71]” (adjustment).

16. Publication of Results of Data Collection:

The FMCSA would not intend to publish the information collected.

17. Approval for not Displaying the Expiration date for OMB Approval:

The FMCSA would not seek this approval.

18. Exceptions to Certification Statement:

The FMCSA would not request exceptions to the certification statement.

SECTION B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection would not employ statistical methods.

ATTACHMENTS:

- A. 49 CFR § 383, entitled “Commercial Driver’s License Standards: Requirements and Penalties.”
- B. 49 CFR § 384, entitled “State Compliance with Commercial Driver’s License Program.”
- C. Commercial Motor Vehicle Safety Act of 1986, (Public Law 99-570, Title XII, 100 Stat. 3207-170), October 27, 1986.
- D. Motor Vehicle Safety Improvement Act of 1999, (Public Law 106-159, 113 Stat. 1748), December 9, 1999..
- E. Section 1012 of the USA PATRIOT Act, (Public Law 107-56, § 1012), May 5, 2003.
- F. 49 U.S.C. § 521, entitled Civil penalties.
- G. Government Paperwork Elimination Act (GPEA), (Title XVII of Public Law 105-277, 112 Stat. 2681), October 21, 1998.
- H. 60-day comments request Federal Register notice, (72 FR 37563), July 10, 2007.
- I. 60-day Federal Register notice comments.
- J. 30-day comments request Federal Register notice, (72 FR 58929), October, 17,

2007.

- K. Privacy Act of 1974, 5 U.S.C. § 552A, as amended.
- L. 49 U.S.C. 31309
- M. 49 U.S.C. 31106
- N. Policy on Availability of Information from the Commercial Driver's License Information System, (70 FR 2454), January 13, 2005.