

Response to New York State DMV Comments
Notice of Request for Information: Renew Approval of an Information Collection;
OMB Control No. 2126-0011
(Commercial Driver Licensing and Test Standards)

Component #5 CDLIS Recordkeeping:

The New York State Department of Motor Vehicles (DMV) is challenging the figure used by FMCSA for the number of CDL drivers who change their State of domicile every year. Based on New York State data, they estimated 382,500 transactions ($7500/\text{State} \times 51 = 382,500$), while FMCSA estimated 230,400 transactions ($11.52 \text{ million} \times .02 = 230,400$) or $4,518/\text{State}$ ($230,000/51 = 4,518$). The difference is based on the method used to calculate the number of transactions. States like New York, California and Texas have a very large number of CDL holders. Using actual transactions from any of these States and multiplying them by 51 to get the national total will give a higher number than the FMCSA estimate. Likewise, using actual transactions from a State that has a small number of CDL holders like the District of Columbia, Rhode Island or Delaware and multiplying them by 51 to get the national total will give a lower number than the FMCSA estimate. FMCSA based its estimate on 2 percent of all CDL holders in the U.S. (11.52 million). FMCSA believes this is a more accurate method of calculating the number of transactions than relying on data from any one State.

Component #6 CDL Application Form:

The New York State DMV is challenging the figure used by FMCSA for the number of new CDL applicants per year. Based on New York State data, they estimated 1,249,500 new applicants ($24,000/\text{State} \times 51 = 1,249,500$) while FMCSA estimated 576,000 new applicants ($11.52 \text{ million} \times .05 = 576,000$) or $11,294/\text{State}$ ($576,000/51 = 11,294$). The difference is based on the method used to calculate the number of transactions. States like New York, California and Texas have a very large number of CDL holders. Using actual transactions from any of these States and multiplying them by 51 to get the national total will give a higher number than the FMCSA estimate. Likewise, using actual transactions from a State that has a small number of CDL holders like the District of Columbia, Rhode Island or Delaware and multiplying them by 51 to get the national total will give a lower number than the FMCSA estimate. FMCSA based its estimate on 5 percent of all CDL holders in the U.S. (11.52 million). FMCSA based the 5 percent estimate on an average of 40,000 (480,000/year) net CDL records being added to the Commercial Driver's License Information System each month. Since this includes records being added minus records being removed, FMCSA increased that number by using 5 percent of the total records which is 48,000 new records being added per month ($576,000/12 \text{ months} = 48,000$), FMCSA believes this is a more accurate method of calculating the number of transactions than relying on data from any one State.

The New York State DMV is also challenging the figure used to complete a CDL application form. While they believe it takes 5 minutes to read and complete an original CDL application and 3 minutes to read and complete the CDL renewal application which includes the out of State survey, FMCSA estimates it takes 1 minute to complete the original and renewal application form. The major difference between the New York State DMV and the FMCSA estimate is that they are counting the full time to complete the application form and a State requirement for filling out a survey form. Every person applying for a driver's license has to fill out basic information on the application form. FMCSA is only accounting for the time it takes to provide the additional information the application form when applying for a CDL. Also, the time to fill out the State survey form is not a Federal requirement.

In addition, the New York State DMV is using their renewal period of 8 years, while FMCSA is using the national average of 5 years

Component #7 Knowledge and Skills Test Recordkeeping:

The New York State Department of Motor Vehicles (DMV) is challenging the figure used by FMCSA for the estimated time it takes to record the results of knowledge tests. Based on New York State estimate, it takes 5 minutes on average to record the results of the CDL knowledge test which includes system response time and entry audit, while FMCSA estimated 2 minutes on average. FMCSA based its estimate on the actual time it takes to record the scores, while the New York State DMV is also including the time for system response and an entry audit. FMCSA believes that the time for a system to respond to the recording of the scores and any automated auditing of the test scores is not a burden hours issue because the person who is recording scores can be doing other activities during this time period. FMCSA believes this is a more accurate method of estimating the burden of recording the knowledge test scores.

The other issue of estimating the number of new CDL applicants is addressed above in the first paragraph of the response under Component #5.