

**Justification for Nonmaterial/Nonsubstantive Change for  
OMB Control Number 2126-0010 ICR**

**Motor Carrier Safety Assistance Program (MCSAP)**

This Justification for a Nonmaterial/Nonsubstantive Change is to request the Office of Management and Budget's (OMB) approval to use the existing Forms MCSAP-2 and MCSAP-2A in this ICR to also collect the same information required by FMCSA's Border Enforcement Grant (BEG), Commercial Driver License (CDL) Grant, Commercial Driver License Improvement System (CDLIS) Grant, and Performance and Registration Information System Management (PRISM) Grant programs. The Federal Motor Carrier Safety Administration (FMCSA) provides its rationale for this information collection request as follows:

**Border Enforcement Grant (BEG) Program:** Section 4110 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, 119 Stat.1722 (August 10, 2005) amended 49 U.S.C. 31107(b) (1) that provides general authority to the Secretary of Transportation (Secretary) to make a border enforcement grant in a fiscal year to an entity or State that shares a land border with another country for carrying out border commercial motor vehicle safety programs and related enforcement activities and projects. The statute also provides that the Secretary shall reimburse a State under a grant agreement pursuant to this section in an amount not more than 100 percent of the costs incurred by the State in a fiscal year for carrying out border commercial motor vehicle safety programs and related enforcement activities and projects.

**Commercial Driver License (CDL) Grant Program:** Section 4124 of the SAFETEA-LU amended title 49, U.S.C., by adding a new § 31313 that provides general authority to the Secretary to make a grant to a State for commercial driver's license (CDL) program improvements in a fiscal year. This will enable the State to comply with the requirements of the CDL program and to improve implementation of its CDL program. A grant may also be made to a State agency, local government or other person to perform research, development, demonstration projects, public education, emerging issues, and other special activities and projects relating to commercial driver licensing and motor vehicle safety to benefit all jurisdictions of the United States or to address national safety concerns. The statute also provides that the Secretary shall reimburse a State, local government, or other person under a grant agreement pursuant to this section in an amount that is not more than 100 percent of the costs incurred by the State, local government or other person.

**Commercial Driver License Improvement System (CDLIS) Grant Program:** Section 4124 of the SAFETEA-LU amended title 49, U.S.C., by adding a new § 31313 that provides general authority to the Secretary to make a grant to a State for CDL program improvements in a fiscal year. This will enable the State to comply with the requirements of the CDL program and to improve implementation of its CDL program. The statute also provides that the Secretary shall reimburse a State, local government, or

other person under a grant agreement under this section in an amount that is not more than 100 percent of the costs incurred by the State, local government or other person.

**The Performance and Registration Information System Management (PRISM)**

**Grant Program:** The Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) (Pub.L. 105-178) directed the FMCSA to implement, on a national basis, the Performance and Registration Information Systems Management (PRISM) Program. This program links the motor carrier safety information system of the Department of Transportation and similar State systems with State commercial motor vehicle registration and licensing systems. The purpose of PRISM is to: 1) determine the safety fitness of the motor carrier prior to issuing license plates; and 2) cause the carrier to enhance its safety performance through an improvement process, and where necessary, apply sanctions to include Denial, Suspension, and/or Revocation of commercial vehicle registrations. The Act also provides that the Secretary shall reimburse a State under a grant agreement in an amount not more than 100 percent of the costs incurred by the State in complying out the program.

The BEG, CDL,CDLIS improvement and PRISM grant programs will utilize the Forms MCSAP-2 and MCSAP-2A for the same purposes as the MCSAP grant program. The title of the grant program on the respective forms will be changed from Motor Carrier Safety Assistance Program to the Border Enforcement Grant Program, the Commercial Driver License Grant Program, the Commercial Driver License Improvement System Grant Program, and the Performance and Registration Information System Management Grant Program, as appropriate. The references to Forms MCSAP-2 and MCSAP-2A will be shown as BEG-2 and BEG-2A, CDL- and CDL-2A, and CDLIS-2 and CDLIS-2A, PRISM-2 and PRISM-2A, respectively.

This proposed change will impact the estimated annual burden hours for the ICR as follow:

**Estimated Change in Annual Burden Hours**

<b>Form</b>	<b>BEG Grant Program</b>	<b>CDL Grant Program</b>	<b>CDLIS Grant Program</b>	<b>PRISM Grant Program</b>	<b>TOTAL</b>
MCSAP-2	2	18	26	3	49
MCSAP-2A	1	3	3	3	10
<b>TOTAL</b>	<b>3</b>	<b>21</b>	<b>29</b>	<b>6</b>	<b>59</b>

IC 2: Form MCSAP-2:

Form BEG-2	15 responses x .5 hour each	= 7.5 hours x .20 = 1.5 (rounded to 2).
Form CDL-2	35 responses x .5 hour each	= 17.5 hours (rounded to 18).
Form CDLIS-2	51 responses x .5 hour each	= 25.5 hours (rounded to 26).
Form PRISM-2	6 responses x .5 hour each	= 3.0 hours.

**Estimated Annual Burden Increase for Form MCSAP-2 IC-2: 49 hours** [2 hours for BEG-2 + 18 hours for CDL-2 + 26 hours for CDLIS-2 + 3 hours for PRISM = 49 hours].

**Estimated Total Annual Burden for Form MCSAP-2 IC-2: 67 hours** [18 approved hours for MCSAP-2 + 49 hours increase in burden = 67 hours].

IC 3: Form MCSAP-2A:

Form BEG-2A	5 responses x .5 hour each	= 2.5 hours x .20 = .5 (rounded to 1)
Form CDL-2A	5 responses x .5 hour each	= 2.5 hours (rounded to 3)
Form CDLIS-2A	5 responses x .5 hour each	= 2.5 hours (rounded to 3)
Form PRISM-2A	6 responses x .5 hour each	= 3.0 hours

**Estimated Annual Burden Increase for Form MCSAP-2A IC-3: 10 hours** [1 hour for BEG-2A + 3 hours for CDL-2A + 3 hours for CDLIS-2A +3 hours PRISM -2A = 10 hours]].

**Estimated Total Annual Burden for Form MCSAP-2A IC-3: 15 hours** [5 approved hours for MCSAP-2A + 10 hours increase in burden = 15 hours].

**Estimated Total Annual Burden Hours for ICR: 12,339 hours** [12,280 currently-approved annual burden hours for ICR + 49 hours increase in burden for MCSAP-2 + 10 hours increase in burden for MCSAP-2A due to the agency’s use of new forms for the BEG, the CDL, the CDLIS and the PRISM grant programs = 12,339 hours].

**Estimated Total Annual Number of Responses: 3,020,616 responses** [3,020,488 currently-approved number of responses + 107 (responses using Form MCSAP-2: 15 Form BEG-2 + 35 Form CDL-2 + 51 Form CDLIS-2 + 6 Form PRISM-2) + 21 (responses using Form MCSAP-2A: 5 Form BEG-2A + 5 Form CDL-2A + 5 Form CDLIS-2A + 6 Form PRISM 2-A) = 3,020,616 responses].

This proposed change will affected the estimated annual burden costs for the ICR as follow:

**Estimated Increase in Annual Cost to Federal Government**

Item	BEG Grant Program	CDL Grant Program	CDLIS Grant Program	PRISM Grant Program	TOTAL
Estimated Increase in Cost to the Federal Government	\$37,800	\$44,100	\$44,100	12,600	\$138,600

Approximate annual costs associated with the review and handling of grant applications and inspection data by Federal division and headquarters personnel for the BEG are as follows:

15 Division personnel x 40 hours x \$35 per hour	=	\$21,000
4 Resource Center personnel x 80 hours x \$35 per hour	=	\$11,200
2 Head Quarters (HQ) personnel x 80 hours x \$35 per hour	=	<u>\$5,600</u>
<b>Total</b>	=	<b>\$37,800</b>

Approximate annual costs associated with review and handling of grant applications by Federal division and headquarters personnel for the CDL are as follows:

51 Division personnel x 20 hours x \$35 per hour	=	\$35,700
4 Resource Center personnel x 40 hours x \$35 per hour	=	\$5,600
1 HQ personnel x 80 hours x \$35 per hour	=	<u>\$2,800</u>
<b>Total</b>	=	<b>\$44,100</b>

Approximate annual costs associated with review and handling of grant applications by Federal division and headquarters personnel for the CDLIS are as follows:

51 Division personnel x 20 hours x \$35 per hour	=	\$35,700
4 Resource Center personnel x 40 hours x \$35 per hour	=	\$5,600
1 HQ personnel x 80 hours x \$35 per hour	=	<u>\$2,800</u>
<b>Total</b>	=	<b>\$44,100</b>

Approximate annual costs associated with review and handling of grant applications by Federal division and headquarters personnel for the PRISM grant program are as follows:

6 Division personnel x 20 hours x \$35 per hour	=	\$ 4,200
4 Resource Center personnel 40 hours x \$35 per hour	=	\$5,600
1 HQ personnel x 80 hours x \$35 per hour	=	<u>\$2,800</u>
<b>Total</b>	=	<b>\$12,600</b>

**Estimate of Total Annual Cost to the Federal Government: \$233,800** [\$95,200 currently-approved estimated annual cost to the Federal government + \$138,600 estimated annual costs (\$37,800 for BEG + \$44,100 for CDL + \$44,100 for CDLIS + \$12,600 for PRISM grants programs) = \$233,800].