

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

**SUPPORTING STATEMENT
Motor Carrier Identification Report**

Introduction: In this Supporting Statement, the Federal Motor Carrier Safety Administration (FMCSA) seeks to revise its current information collection (IC) entitled, “Motor Carrier Identification Report.” The IC was approved by the Office of Management and Budget (OMB) and assigned OMB Control No. 2126-0013. The current total annual burden for this IC is 108,969 and it will expire on May 31, 2012.

The FMCSA would revise this information collection as part of a program change once its final rule entitled, “Requirements for Intermodal Equipment Providers and for Motor Carriers and Driver Operating Intermodal Equipment” (see Attachment A), is implemented. This action would increase the population of entities required to complete a Motor Carrier Identification Report (Form MCS-150). FMCSA would require 108 intermodal equipment providers (IEPs) to: (1) submit a new form entitled, “Intermodal Equipment Provider Identification Report,” Form MCS-150C; and (2) update the form at least once every two years. Information from the Form MCS-150C would be entered into FMCSA’s Motor Carrier Management Information System (MCMIS) concerning data on entities subject to FMCSA regulations, and a U.S. DOT number (a census number used to identify the entity and maintain safety performance information about entities subject to the agency’s regulations) would then be assigned to each IEP. This would increase the total annual burden for this IC by 36 hours during the first year (from 108,969 to 109,005 hours), and decrease by 9 hours during subsequent years (from 109,005 to 108,996 hours).

Part A. Justification.

1. Circumstances that make collection of information necessary.

Section 4118 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, 119 Stat. 1144, at 1729, August 10, 2005) added new section 31151, entitled “Roadability,” to subchapter III of chapter 311 of title 49, United States Code (U.S.C.) (See Attachment B). Section 31151(a)(1) requires the Secretary of Transportation (Secretary) to issue regulations to be codified in the Federal Motor Carrier Safety Regulations (FMCSRs) “to ensure that intermodal equipment used to transport intermodal containers is safe and systematically maintained.” The legislation defines “intermodal equipment” as “trailing equipment that is used in the intermodal transportation of containers over public highways in interstate commerce, including trailers and chassis.” The term “intermodal equipment provider” is defined as “any person that interchanges intermodal equipment with a motor carrier pursuant to a written interchange agreement or has a contractual responsibility for the maintenance of the intermodal equipment.”

Among other things, the new Roadability statute requires the following:

- Intermodal equipment that is intended for interchange with motor carriers must be systematically inspected, repaired, and maintained;
- Intermodal equipment providers must maintain a system of maintenance and repair records for such equipment;
- Facilities at which an intermodal equipment provider regularly makes equipment available for interchange must have an operational process and space readily available for a motor carrier to have an equipment defect identified repaired or the equipment replaced prior to departure;
- Implementation of a process by which a driver or motor carrier transporting intermodal equipment is required to report to the equipment provider any actual damage or defect in the intermodal equipment of which the driver or motor carrier is aware at the time the intermodal equipment is returned;
- Any actual damage or defect identified by the driver or motor carrier must be repaired before the equipment is made available for interchange, and that repairs of equipment be documented in the maintenance records for such equipment.

This information collection supports the Department of Transportation's (DOT) strategic goal of safety. The information collection ensures that IEPs can be identified as being subject to FMCSA's inspection, repair and maintenance requirements, and that the agency has up-to-date information concerning the safety performance of IEPs.

2. How, by whom, and for what purpose the information is to be used.

The information on the Motor Carrier Identification Report (Form MCS-150) is used by the FMCSA to identify its regulated entities, to help prioritize the agency's activities, to aid in assessing the safety outcomes of those activities and for statistical purposes. The information collected on the proposed Intermodal Equipment Provider Identification Report (Form MCS-150C) would be used for the same purpose.

The information collected on the Form MCS-150C would help ensure that FMCSA has up-to-date information concerning the IEP's principal place of business, and the number of intermodal chassis controlled by IEP. This information would also provide a means for tracking roadside inspection results from enforcement activities conducted by State enforcement agencies and personnel. The unique identification number assigned by DOT to IEPs upon submission of the Form MCS-150C would be used as a reference number for linking safety performance information with the appropriate IEP.

3. Extent of automated information collection.

In response to the Government Paperwork Elimination Act (enacted on October 21, 1998, as title XVII of Public Law 105-277, 112 Stat. 2681) (see Attachment C), the FMCSA will allow all respondents to complete Forms MCS-150 (Motor Carrier Identification Report, Application for U.S. DOT Number), MCS-150A (Safety Certification), MCS-150B (Combined Motor Carrier Identification Report and HM Permit Application), and MCS-150C (Intermodal Equipment Provider Identification Report) on-line at the FMCSA web site, <http://www.fmcsa.dot.gov/factsfigs/formspubs.htm>. One hundred percent (**100%**) of the Forms — MCS-150, MCS-150A, MCS-150B and MCS-150C — may be completed and submitted to the FMCSA on-line. FMCSA estimates that the percentage of such forms submitted to the agency on-line are as follow:

On-line Submissions of MCS-150 Forms

Forms	Adds	Changes
MCS-150	70%	40%
MCS-150A	80%	N/A
MCS-150B	60%	85%
MCS-150C	80%	80%

4. Efforts to identify duplication.

The FMCSA is the only Federal agency with the authority to promulgate and enforce safety regulations applicable to for-hire and private motor carriers (and their commercial motor vehicles (CMVs) and drivers) operating in interstate commerce. There are no similar filings made with any other Federal agency which would result in duplication of this information.

5. Efforts to minimize the burden on small businesses.

The proposed requirement to submit the FMCSA Form MCS-150C /entitled, “Intermodal Equipment Provider Identification Report,” would apply to all IEPs that offer intermodal chassis, regardless of size, for transportation in interstate commerce. FMCSA has developed this new Form MCS-150C to reduce to the greatest extent practicable, the time and effort that would be required of IEPs to provide the agency with basic information about their operations, rather than to use the existing Form MCS-150 for this purpose. The Form MCS-150 is significantly longer because it is intended primarily for use by motor carriers. For this reason, it includes more instructions and questions than IEPs need to read before determining that the information being collected does not pertain to them.

6. Impact of less frequent collection of information.

The information on the MCS-150C would be collected biennially. FMCSA believes that a longer update cycle simply will not provide the agency with the basic data it needs to perform its safety mission efficiently or effectively.

7. Special circumstances.

There are no special circumstances related to this information collection.

8. Compliance with 5 CFR 1320.8.

On December 21, 2006, FMCSA published a notice of proposed rulemaking (NPRM) entitled, “Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment,” (71 FR 76796) (Attachment D) concerning requirements for IEPs to establish systematic inspection, repair and maintenance programs for intermodal chassis being offered for transportation in interstate commerce. The NPRM included a proposal that IEPs submit a new FMCSA Form MCS-150C, entitled “Intermodal Equipment Provider Identification Report” and that they mark their intermodal equipment (IME) with the USDOT number assigned by FMCSA to the IEP. FMCSA received no comments concerning the Form MCS-150C itself, but it did receive 10 comments concerning the marking of the IME. The commenters expressed concern about the agency’s requirement for IEPs to continually re-capture and re-mark IME as it moves from one intermodal transfer point to another. In the final rule, FMCSA offers several alternatives to IEPs to address these concerns and that will ensure the ready identification of IME (through the use of a sticker, decal, or notation on the interchange agreement or vehicle registration forms) while minimizing the cost.

9. Payment or gifts to respondents.

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

10. Assurance of confidentiality.

The information collected by the MCS-150C includes the IEP’s name, location, type of operation, and the number of intermodal chassis controlled. Confidentiality of the motor carrier information will be protected to the extent allowed by the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended.

11. Justification for collection of sensitive information.

There are no questions of a sensitive nature.

12. Estimates of burden hours for information requested.

The IEP inspection, repair and maintenance rulemaking would increase the information collection burden of the currently-approved OMB Control Number 2126-0013 entitled, “Motor Carrier Identification Report,” by extending the data collection of covered entities to 108 IEPs that offer container chassis to motor carriers and drivers for transportation in interstate commerce.

Intermodal equipment providers would file a new Form MCS-150C, which is an abbreviated version of the existing Form MCS-150. FMCSA estimates the Form MCS-150C would take 20 minutes the first time that IEPs file this report. The burden hour increase for this collection of information from IEPs is 36 hours (108 IEPs x 20 minutes /60 min/hour = 36 hours).

The FMCSA estimates the biennial update of the Form MCS-150C would take 10 minutes. Accordingly, to collect information from IEPs concerning the biennial update on Form MCS-150C, we estimate the time burden to be 9 hours (108 providers x 50 percent per year filing updates x 10 minutes/60 = 9 hours).

The information collection burden estimate decreases in subsequent years by 673 hours (from 108,969 hours to 108,296 hours) because IEPs (similar to motor carriers who file revisions to their Form MCS-150) would only need to review and update (as necessary) the information concerning the number of chassis they tender to carriers and drivers, rather than the other demographic information on the form MCS-150.

The estimated number of respondents decreases by 54 respondents in subsequent years (from 472,578 respondents to 472,524 respondents) because IEPs (again, similar to motor carriers) would only be required to update the information on the MCS-150C every 24 months. Thus, for existing OMB Number 2126-0013, the information collection burden hours would increase in the first year to **109,005 Hours** (108,969 current burden hours + 36 hours for the 108 IEPs =109,005), and decrease by 9 hours in subsequent years to **108,996 hours**; and the number of respondents would increase in the first year to **403,890** (403,782 interstate motor carriers + 108 IEPs submitting the MCS-150C); and decrease by 54 respondents in subsequent years to **403,836 respondents**.

Burden Calculations

Item	Burden Hours During First Year	Burden Hours During Subsequent Years	Number Of Respondents During First Year	Number Of Respondents During Subsequent Years
Existing OMB Control No. 2126-0013 Burden Hours	108,969	109,005	403,782	403,890
Intermodal Equipment Provider Identification Report (MCS-150C)	+36	-9	+108	-54
TOTAL	109,005	108,996	403,890	403,836

Total annual burden = 109,005 burden hours (108,969 OMB-approved burden hours + 36 hours for the 108 IEPs that would be covered by the final rule).

Summary:

Total number of new respondents: 108.

Number of responses expected: 108 during first year; 54 during subsequent years.

Total Estimated Annual Respondents: 403,890 [403,782 OMB-approved number of annual respondents + 108 intermodal equipment providers filing Form MCS-150C = 403,890].

Total Estimated Annual Responses: 617,030 [616,922 OMB-approved number of annual respondents/responses + 108 intermodal equipment providers filing Form MCS-150C = 617,030].

13. Estimate of total annual cost to respondents.

The estimate of total annual cost to respondents is currently approved at \$6,200,400. There are no other costs to respondents if they use the pre-paid return form or submit the information online through FMCSA's Web site.

14. Estimate of cost to the Federal Government.

The number of intermodal equipment providers that would be required to file the Form MCS-150C is estimated to be 108. This amounts to 0.27 percent of the average of 40,000 new entrant motor carriers that file Forms MCS-150/MCS-150A each year, and an increase of less than 0.02 percent of the motor carriers currently identified in the agency's information systems. If all intermodal equipment providers were to submit their MCS-150C forms on paper, the estimated maximum additional data entry costs to FMCSA would be \$5.00 per form x 108 forms = \$540.00. Therefore the FMCSA estimates that this new requirement would not materially change the costs of data entry or other costs of information processing.

The total annual estimated costs for data entry and information processing to the Federal government is currently approved at \$1,774,691. In May 2009, the cost for first-class postage increased from \$0.41 to \$0.44. Because the Federal government pays postage on pre-paid return forms, there are costs for forms mailed and forms returned. The increased costs for mailing and return postage for 20,000 forms is estimated at $(20,000 \times 2 \times \$0.03) = \$1,200$. Therefore, the total estimated annual cost to the Federal government would increase from **\$1,774,691** to **\$1,775,891**.

15. Explanation of program changes or adjustments.

This supporting statement would revise the information collection burden to accommodate a program change implemented in a final rule. This program change will require 108 entities to submit a new FMCSA Form MCS-150C, entitled "Intermodal Equipment Provider Identification Report," to identify themselves to FMCSA as intermodal equipment providers responsible for the inspection, repair and maintenance of intermodal equipment for interchange pursuant to section 4118 of SAFETEA-LU.

Program change increase: 36 burden hours [109,005 proposed burden hours – 108,969 current burden hours = 36 hours].

16. Publication of results of data collection.

Data provided by this information collection will not be published.

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

The FMCSA is not seeking an exemption from displaying the expiration date for the Forms MCS-150, MCS-150A, MCS-150B, or MCS-150C.

18. Exception to certification statement.

There are no exceptions to the certification statement.

Attachments

Attachment A: A final rule entitled, “Requirements for Intermodal Equipment Providers and for Motor Carriers and Drivers Operating Intermodal Equipment,” (73 FR 76794) December 17, 2008.

Attachment B: Section 4118 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, 119 Stat. 1144, at 1729, August 10, 2005).

Attachment C: The Government Paperwork Elimination Act (GPEA) (Public Law 105-277, 112 Stat. 2681), October 21, 1998.

Attachment D: A notice of proposed rulemaking entitled, “Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment,” (71 FR 76796) December 21, 2006.

Forms MCS-150, MCS-150A, MCS-150B and MCS-150C.

Part B. Collections of Information Employing Statistical Methods.

This information collection does not employ statistical methodologies.