

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

**SUPPORTING STATEMENT**

**Annual and Quarterly Report of Class I Motor Carriers of Passengers (formerly OMB Control Number 2139-0003)**

**Introduction:** The Federal Motor Carrier Safety Administration (FMCSA) submits to the Office of Management and Budget (OMB) its request to revise and renew a currently-approved information collection request (ICR) titled, “Annual and Quarterly Report of Class I Motor Carriers of Passengers,” covered by OMB Control Number 2126-0031. This ICR is due to expire on September 30, 2009.

**Part A. Justification**

**1. Circumstances that Make the Collection of Information Necessary**

Section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA), Public Law 104-88, 109 Statute 803 (December 29, 1995) (See Attachment A), now codified at 49 United States Code (U.S.C.) § 14123 (See Attachment B), transferred responsibility for collecting the financial and operating statistics (F&OS) data to the Secretary of Transportation (Secretary). The ICCTA requires the Secretary to collect annual financial reports from Class I and Class II motor carriers of passengers. However, the Secretary has exercised his authority under 49 U.S.C. 14123 to only require Class I motor carriers of passengers to file both quarterly and annual report to ensure that they are in compliance with the F&OS program requirements (See 49 CFR 369.4).

The ICCTA further allows the Secretary to collect quarterly, periodic or special reports concerning motor carrier operations from motor carriers, freight forwarders, brokers, leasers and associations. The Secretary transferred the authority to administer the F&OS program to the Bureau of Transportation Statistics (BTS) on September 30, 1998 (63 FR 52192 at Attachment C). Pursuant to this authority, the BTS, now part of the Research and Innovative Technology Administration (RITA), became the responsible DOT modal administration for implementing the F&OS program and requirements set forth in 49 CFR 1420 (See Attachment D). The Secretary later transferred this program to the Federal Motor Carrier Safety Administration (FMCSA) on September 29, 2004 (69 FR 51009)(see Attachment E). On August 10, 2006, DOT published a final rule (71 FR 45740) (see Attachment F) that transferred and redesignated certain motor carrier financial and statistical reporting regulations of BTS, that were formerly located at chapter XI, title 49 CFR part 1420, to FMCSA under chapter III of title 49 CFR part 369 (Attachment G).

This IC supports the Department of Transportation’s strategic goal of safety.

## **2. How, by Whom, and for What purpose is the Information Used**

The Form MP-1 annual and quarterly report will be used to collect financial, operating, equipment and employment data from individual motor carriers of passengers. All Class I for-hire motor carriers of passengers with gross annual operating revenues of \$5 million or more are to file annual and quarterly reports.

The data will be available to users in various forms, e.g., tables, graphs, photocopies, raw data. The data are used by the USDOT, trucking associations, insurance companies, consultants, law firms, academia, trade publications and other to assess industry growth and its impact on the economy, to identify industry changes that may affect national transportation, and to monitor company financial stability. No other Federal agency collects the information requested by this report. Other Federal agencies and industry groups, including the American Bus Association and the National Bus Traffic Association, Inc., depend on these forms for information regarding the operations of the bus industry. The data also help public and private entities review the financial status of Class I Motor Carriers of Passengers to evaluate any aggregate relationship between financial conditions and safety performance. The Bureau of Economic Analysis (BEA), U.S. Department of Commerce uses the data to inform the national annual input-output and GDP estimates. BEA uses the data to prepare estimates of industry output and provide details on inputs to supplement the information on motor carriers of passengers collected by the Bureau of the Census.

## **3. Extent of Automated Information Collection**

Information relative to collection of the data and the necessary forms are available on FMCSA's website, [http://www.fmcsa.dot.gov/forms/reporting/mcs\\_info.htm#fos](http://www.fmcsa.dot.gov/forms/reporting/mcs_info.htm#fos). The forms can be printed and mailed to FMCSA. Zero percent (0%) of the forms are submitted electronically.

## **4. Efforts to identify Duplication**

These data are not available from any other source.

## **5. Efforts to Minimize the Burden on Small Business**

Data are collected only from the largest carriers. Before the program was transferred, the ICC raised the classification level for Class I motor carriers of passengers from \$3 million in annual operating revenue to \$5 million. In addition, the classification process adjusts revenues to account for the impact of inflation. Each carrier's annual operating revenues will be deflated using the Producer Price Index for Finished Goods. The impact of these changes is to reduce the number of carriers subject to the reporting requirements. Six passenger carriers out of approximately 5,500 for-hire passenger carriers are required to submit this form.

**6. Impact of Less Frequent Collection Information**

Less frequent data collection would erode DOT's ability to monitor the condition of the intercity passenger bus industry and conduct special studies. The timeliness and frequency of data collection are critical in evaluating trends and monitoring individual carrier operations. The filing frequencies were chosen after careful analysis that balanced the degree of carrier burden imposed against DOT's oversight responsibilities for the intercity passenger bus industry.

**7. Special Circumstances**

There are no special circumstances that could require the collection to be conducted inconsistent with the guidelines set by OMB.

**8. Compliance with 5 CFR 1320.8**

On March 24, 2009 (74 FR 12436) (See Attachments H), FMCSA published notices in the Federal Register requesting public comments on the proposed renewal of this information collection. FMCSA received one comment to the notice from the Bureau of Economic Analysis that strongly supports the continuation of this ICR. In addition, FMCSA published a second notice on July 28, 2009 (74 FR 17956)(See Attachment I) with a 30-day comment period that announced this information collection was being submitted to OMB for approval.

**9. Payments or Gifts to Respondents**

There are no payments or gifts to respondents.

**10. Assurance of Confidentiality**

Currently all data are made available at the respondent level. Motor carriers may request the agency to keep their reports confidential. The agency's decision to grant the exemptions is based on whether the motor carriers meet the criteria established within the FMCSA regulation 49 CFR 369.9 entitled, "Request for exemptions from public release."

**11. Justification for Collection of Sensitive Information**

The forms do not include any questions of a sensitive nature.

**12. Estimate of Burden Hours for Information Requested**

Class I motor carriers of passengers are required to file Form MP-1. Class I carriers are those with more than \$5 million in operating revenue. Revenue is adjusted to account for inflation since the \$5 million threshold was implemented in 1994. Currently, 6 carriers are required to submit this report. The data for completing reports are available from

carrier records. FMCSA estimates that the 6 carriers will each spend 1.5 hours completing 5 reports, 4 quarterly reports and 1 annual report, each year.

<b>Form/Title</b>	<b>Number of Respondents Per Year</b>	<b>Number of Annual &amp; Quarterly Responses Per Year</b>	<b>Frequency of Responses</b>	<b>Estimated Time per Response</b>	<b>Total Annual Burden Hours</b>
MP-1/ Class I Motor Carriers of Passengers (Annual & Quarterly Report)	6	30 (1 Annual and 4 Quarterly per respondent)	Annual & Quarterly	18 minutes	9 hours

**Estimated Annual Number of Respondents: 6**

**Estimated Total Annual Number of Responses:** 30 responses [6 carrier respondents x 5 reports (4 quarterly +1 annual report) completed annually = 30].

**Estimated Total Annual Burden Hours:** 9 hours [30 responses x 18 minutes per response/60 = 9].

### **13. Estimate of Total Annual Cost to Respondents**

The estimated total annual cost to respondents is \$403, which includes costs of employee time (\$373) and those associated with printing and mailing forms (\$30). The Agency, having not received supporting data on these burden costs, based its estimates on data from the Bureau of Labor Statistics (BLS). BLS data indicate that the median hourly wage for accountants working for passenger carriers is \$25.67.<sup>1</sup> To this, fringe benefit costs equal to 49.25 percent of wages<sup>2</sup> and overhead costs equal to 12 percent of wages<sup>3</sup>

<sup>1</sup> Bureau of Labor Statistics, "Occupational Employment Survey". May 2007.

[http://www.bls.gov/oes/current/naics4\\_485200.htm](http://www.bls.gov/oes/current/naics4_485200.htm) (accessed November 23, 2008). North American Industry Classification System (NAICS) 485200, Interurban and Rural Bus Transportation, Standard Occupational Classification (SOC) 13-2011, Accountants and Auditors.

<sup>2</sup> Bureau of Labor Statistics, "Employer Costs for Employee Compensation". June 2008.

[http://stats.bls.gov/news.release/archives/ecec\\_09102008.pdf](http://stats.bls.gov/news.release/archives/ecec_09102008.pdf) (accessed November 23, 2008). As indicated in Table 2 of this report, for "transportation and material moving occupations", 67 percent of total employee compensation is wages, and 33 percent is benefits. The ratio of benefits to wages is 33/67=49.25 percent.

<sup>3</sup> Overhead is difficult to estimate, and few industrial-level estimates are available. The Agency relied on guidance from the Office of Management and Budget (OMB) for evaluating and budgeting commercial

were added, resulting in a total hourly compensation of \$41.40. This hourly cost is multiplied by the 9-hour annual burden estimate to yield the total cost of \$373 for employee time. Printing and mailing the 5 forms is estimated to cost \$1 per form, \$30 in total per year for the 6 respondents.

**Estimated Annual Cost to Respondents: \$403.00** [\$41.40 per hour wage x 9 hours annually to complete forms + (5 forms x \$1.00 to mail x 6 respondents) = \$403.00].

**14. The Estimated Total Annual Cost to the Federal Government**

The estimated total annual cost to the Federal Government is \$36 for Form MP-1. This figure includes salary cost based on hours, overhead, printing and payment to contractors.

**Estimate of Annual Cost to Federal Government: \$36.00.**

**15. Explanation of Program Changes or Adjustments**

The method of estimating costs to respondents was revised. Wages used to assess the cost of employee time devoted to entering data in Form MP-1 changed from \$25.00 to \$25.67 per hour. The adjustment to hourly compensation for fringe benefits was revised from 45 percent of wages to 49.25 percent, and a second adjustment equal to 12 percent of wages was added to account for overhead. Last, costs to carriers associated with printing and mailing forms to FMCSA have been included for the first time.

**16. Publication of Results of Data Collection**

FMCSA is required by Federal law to make the data collection information publicly available. There are no plans at this time for the agency to publish analytical reports.

**17. Approval for not Displaying the Expiration Data of OMB Approval**

The FMCSA is not seeking approval to not display the expiration date of the OMB approval number on the Form MP-1.

**18. Exceptions to Certification Statement**

No exceptions.

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

This information collection does not employ statistical methods.

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services. OMB Circular A-76.  
[http://www.whitehouse.gov/omb/circulars/a076/a76\\_incl\\_tech\\_correction.html](http://www.whitehouse.gov/omb/circulars/a076/a76_incl_tech_correction.html) (accessed November 23, 2008).

## Attachments

- A. Section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA) Public Law 104-88, 109 Statute 803 (Dec. 29, 1995).
- B. 49 U.S.C. § 14123.
- C. DOT Secretary's transfer of the authority to administer the F&OS program to the Bureau of Transportation Statistics (BTS) on September 30, 1998 (63 FR 52192).
- D. 49 CFR 1420
- E. DOT Secretary's transfer of the responsibility for the F&OS program from BTS to FMCSA on September 29, 2004 (69 FR 51009).
- F. Motor Carrier Transportation; Redesignation of Regulations From the Research and Innovative Technology Administration, Final Rule (71 FR 45740), August 10, 2006.
- G. Title 49 CFR part 369
- H. Federal Register notices requesting 60-day public comment period (74 FR 12436), March 24, 2009.
- I. Federal Register notice requesting 30-day public comment period (74 FR 17956), July 28, 2009.

Form MP-1