

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

**SUPPORTING STATEMENT  
REQUEST FOR REVOCATION OF AUTHORITY GRANTED**

**INTRODUCTION**

This is to request the Office of Management and Budget's (OMB) approval to revise the OMB Control Number 2126-0018, "Request for Revocation of Authority Granted," information collection request (ICR), which is currently due to expire on 2/28/2011.

**Part A: Justification.**

**1. Circumstances that make collection of information necessary:**

The Federal Motor Carrier Safety Administration (FMCSA) registers for-hire motor carriers of regulated commodities under 49 U.S.C. 13902 (see Attachment A), surface freight forwarders under 49 U.S.C. 13903 (see Attachment B), and property brokers under 49 U.S.C. 13904 (Attachment C). Each registration is effective from the date specified under 49 U.S.C. 13905 (c) (see Attachment D).

Subsection (c) of 49 U.S.C. 13905 also provides that on application of the registrant, the Secretary may amend or revoke a registration. Form OCE-46 (Attachment E) allows these transportation entities to apply voluntarily for revocation of their registration (operating rights) or parts thereof. If the transportation entity fails to maintain evidence of the required level of insurance coverage on file with FMCSA, its registration (operating authority) will be revoked involuntarily. Although the effect of both types of revocation is the same, some carriers prefer to request voluntary revocation. For various business reasons, a carrier may also request revocation of some part, but not all, of its operating authority.

This information collection supports the DOT Strategic Goal of Safety by enabling motor carriers to voluntarily request revocation of operating authority, or some part of that authority, by identifying themselves to the FMCSA.

**2. How, by whom, and for what purpose is the information used:**

A completed Form OCE-46 is filed with FMCSA by the registrant for the purpose of requesting that all, or a part, of its registration (operating rights) be revoked. The information contained on the form is used by the FMCSA in making a determination on the revocation request. The use of Form OCE-46 has proven to be an easy and effective means by which a registrant can request revocation of its registration.

**3. Extent of automated information collection:**

Form OCE-46 is filed by registrants on a voluntary, and for the most part, one-time basis. It calls for a very limited amount of information to identify the registrant and the scope of its request. Thus, the information collection itself has not been automated, although the information collected is ultimately entered into an automated data base. Eighty five percent (85%) of the Form OCE-46 filings are submitted electronically to FMCSA.

**4. Efforts to identify duplication:**

There are no similar filings made with any other Federal agency or within the Department of Transportation which would result in duplication of this information.

**5. Efforts to minimize the burden on small businesses:**

Paperwork burdens have been minimized for small businesses. Form OCE-46 is completed by filling in blank spaces with limited information, identifying the registrant and its operations, and having the form notarized. When the form is signed in the presence of an FMCSA staff member, notarization is not required. The information collected is the minimum necessary to accomplish the purpose of the filing.

**6. Impact of less frequent collection of information:**

There is no requirement for Form OCE-46 to be filed on a periodic basis. Because the form is submitted to FMCSA on an “as needed” basis, its purpose would be defeated if the data were collected less frequently.

**7. Special circumstances:**

There are no special circumstances related to this information collection.

**8. Compliance with 5 CFR § 1320.8:**

FMCSA published a notice in the Federal Register (75 FR 52053) with a 60-day public comment period to announce this ICR on August 24, 2010 (see Attachment F). Two comments in support of this ICR were received in response to this notice (see comments and FMCSA’s replies at Attachment G).

FMCSA published a notice in the Federal Register (75 FR 77941) with a 30-day public comment period that announced this ICR would be sent to OMB for approval on December 14, 2010 (see Attachment H).

**9. Payments or gifts to respondents:**

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

**10. Assurance of confidentiality:**

There is no assurance of confidentiality. The form is submitted on a voluntary basis and merely calls for information identifying the registrant, scope and basis of its requested revocation.

**11. Justification for collection of sensitive information:**

The information requested and collected is not of a sensitive nature.

**12. Estimate of burden hours for information requested:**

FMSCA estimates that approximately 3,700 registrants will file the Form OCE-46 annually. This estimate is based on the number of forms filed in 2009.

The form is filed on an “as-needed” basis, and there is no continuing information collection function associated with the form. The form asks for very limited information which is readily available to the filer. FMCSA estimates that it would take 15 minutes, or 0.25 hours, to complete the form.

**Estimated Number of Respondents: 3,700 registrants.**

**Estimated Number of Responses: 3,700.**

**Estimated Total Annual Burden: 925 hours [3,700 responses × 0.25 hour =925].**

**13. Estimate of total annual costs to respondents:**

FMCSA estimates that there are no annual costs to the respondent other than the cost of notarizing the form.

Notarization fees vary across the U.S. The maximum fees allowed for most single-page, single-signature notarizations range between \$.50 in some states (such as: Kentucky, South Carolina, and Wisconsin) to \$10.00 in other states (such as: California, South Dakota, and Michigan).<sup>1</sup> Some states do not set limits. FMCSA conservatively assumes that there will be on average a \$10.00 fee to have the report notarized. The cost for notarizing the forms is estimated at approximately \$37,000 (3,700 \* \$10).

**Estimated Annual Cost to Respondents: \$37, 000 [3,700 registrants x \$10 = \$37,000].**

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<sup>1</sup> Most State Administrative Services Offices have listings of allowable fees for notary services, See for example: <http://www.sos.ca.gov/business/notary/forms.htm>; <http://www.sos.ca.gov/business/notary/forms.htm>; [http://www.michigan.gov/sos/0,1607,7-127-1638\\_8736-85787--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1638_8736-85787--,00.html).

**14. Estimate of cost to the Federal government:**

Form OCE-46 is processed by Transportation Assistants, average Grade 7. The average hourly rate of pay of a Grade 7 employee is approximately \$24 per hour.<sup>2</sup> FMCSA estimates that processing each Form OCE-46 takes approximately 15 minutes, or 0.25 hours.

**Estimated Annual Cost to the Federal Government: \$22,200 [3,700 registrants × 0.25 hour × \$24 per hour = \$22,200].**

**15. Explanation of program changes or adjustments:**

This program adjustment is due to an estimated increase in the number of Form OCE-46 filings from 3,250 to 3,700 per year, and the estimated \$37,000 cost increase (3,700 forms x \$10 per form) for notarizing each form that was not included in the last revision of this ICR.

**16. Publication of results of data collection:**

The information collected is not intended for publication for statistical purposes.

**17. Approval for not displaying the expiration data for OMB approval:**

The FMCSA is not seeking approval to not display the expiration date of OMB's approval of the information collection.

**18. Exceptions to certification statement:**

No exceptions to the certification statement are requested.

**ATTACHMENTS:**

- A. 49 U.S.C. 13902, Registration of motor carrier, January 7, 2003.
- B. 49 U.S.C. 13903, Registration of freight forwarders, January 7, 2003.
- C. 49 U.S.C. 13904, Registration of broker, January 7, 2003.
- D. 49 U.S.C. 13905, Effective periods of registration, January 7, 2003.
- E. Form OCE-46.
- F. 60-day Federal Register notice (75 FR 52053), August 24, 2010.
- G. Comments to 60-day notice and FMCSA replies.
- H. 30-day Federal Register notice (75 FR 77941), December 14, 2010.

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<sup>2</sup> See: <http://www.fedjobs.com/pay/pay.html>