

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

**SUPPORTING STATEMENT
Training Certification for Drivers of Longer Combination Vehicles**

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) three-year approved clearance for the renewal and revision of the information collection request (ICR) entitled, "Training Certification for Drivers of Longer Combination Vehicles (LCVs)" OMB Control Number 2126-0026, which is currently due to expire on 02/28/11. This ICR is being revised due to an anticipated increase in the estimated number of LCV drivers submitting training certificates to employers.

Part A. Justification.

1. Circumstances that make the collection of information necessary:

Section 4007(b) of the Motor Carrier Act of 1991 (Title IV of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Public Law 102-240, 105 Stat. 1914, 2152; 49 U.S.C. § 31307) (Attachment A) requires the Secretary of Transportation (Secretary) to establish Federal minimum training requirements for drivers of LCVs. The responsibility for implementing the statutory requirement was subsequently delegated to FMCSA (49 CFR 1.73) (Attachment B). The FMCSA, in a final rule entitled, "Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements" (Attachment C) adopted implementing regulations for minimum training requirements for the operators of LCVs (March 30, 2004; 69 FR 16722). The final rule created an information collection burden concerning the certification of new, current and non-grandfathered LCV drivers; grandfathering those current LCV drivers who are eligible for certification; and certification of LCV driver-instructors. The implementing regulations define an LCV as any combination of a truck-tractor and two or more semi-trailers or trailers, which operate on the National System of Interstate and Defense Highways (as defined in 23 CFR § 470.107) (Attachment D) with a gross vehicle weight greater than 80,000 pounds. The purpose of this rule is to enhance the safety of LCV operations on our Nation's highways.

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

Drivers are required to present a training certification form to prospective employers to prove they are certified to drive LCVs. Motor carriers must not allow drivers to operate LCVs without ensuring the drivers have been properly trained in accordance with the requirements under 49 CFR part 380 (Attachment E). The training certification form provides this assurance. Section 380.401(b), CFR title 49 requires motor carriers to maintain a copy of the LCV training certification form in the driver qualification (DQ) file. During a compliance review (CR), motor carriers responsible for the operation of

LCVs must be able to show Federal or State enforcement officials that drivers responsible for operating such LCVs are certified to do so, based on the training certificate in their drivers' qualification files.

3. Extent of automated information collection:

This information collection requires the completion and signing of a training certification form. Motor carriers may maintain the required form electronically or via paper copy. Generally, driver qualification files must be maintained at the motor carriers' principle place of business – the training certificate must be included in the DQ file. This information collection requires zero percent (0%) of the training certification forms to be submitted electronically.

4. Describe efforts to identify duplication:

The FMCSA is not aware of any other Federal or State entity that requires motor carriers to collect the same information that is required by the LCV training requirements under 49 CFR part 380.

5. Efforts to minimize the burden on small businesses:

The motor carrier industry consists primarily of small businesses, as defined by the Small Business Administration. Many of the motor carriers are independent, self-employed owner-operators. Small motor carriers would be subject to the same requirements as their large counterparts. While it is unclear how many small businesses operate LCVs, the agency believes the number is not large. Therefore, the overall impact of this information collection burden on small businesses is likely to be minimal. While carriers must verify that a driver has proper training before allowing the driver to operate an LCV, it is up to the driver to obtain the required training.

6. Impact of less frequent collection of information:

The training certification form is required to be completed only once for each LCV driver; the LCV training certification does not expire.

7. Special circumstances:

There are no special circumstances related to this information collection.

8. Compliance with 5 CFR 1320.8:

On September 9, 2010, FMCSA published a notice in the Federal Register (75 FR 54945) (Attachment F) with a 60-day comment period to announce the Agency's plan to revise this ICR. No comments were received in response to this notice.

On December 3, 2010, FMCSA published a notice in the Federal Register (75 FR 75540) (Attachment G) with a 30-day comment period to announce its plans to send this ICR to OMB for review and approval.

9. Payments or gifts to respondents:

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

10. Assurance of confidentiality:

The driver certification information will be protected to the extent allowed by the Privacy Act of 1974.

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:

When FMCSA established LCV training requirements under 49 CFR part 380, it estimated there were 35,000 drivers operating LCVs. Employment in the trucking industry is growing, and FMCSA expects there will be an increase in the number of LCV drivers.¹ According to the Bureau of Labor Occupational Outlook Handbook, 2010-2011 Edition, employment of heavy and tractor-trailer drivers is expected to grow 13.0 percent between 2008 and 2018 in all industries that employ these drivers, including for-hire transportation, manufacturing, and retail trades.² In the for-hire transportation sector alone, where the majority of LCV drivers are likely to work, heavy and tractor-trailer driver employment is forecast to grow 19.2 percent. The Agency assumes that LCV driver workforce will grow at the same rate as for-hire heavy and tractor-trailer employment, 19.2 percent over ten years, or about 2 percentage points per year. FMCSA estimates that 700 (35,000*0.02) drivers will successfully complete LCV training each year. Each will present that certificate to a motor carrier. In addition, the Agency estimates that because of an employee turnover rate of 43 percent among established LCV drivers, an additional 15,050 drivers (35,000 × 0.43) will submit their LCV training certificate to a new employer.³

PREPARATION OF THE LCV DRIVER-TRAINING CERTIFICATE: A student who successfully completes LCV driver training receives a LCV Driver-Training Certificate in substantially the form indicated in Section 380.305. FMCSA estimates that 10 minutes would be required for LCV instructors to prepare the training certificate for each of the estimated 700 LCV drivers who successfully complete LCV training each year. This

¹ http://www.doleta.gov/BRG/Indprof/Transportation_profile.cfm.

² Occupational Outlook Handbook 2010-2011. See: <http://www.bls.gov/oco/ocos246.htm> and ftp://ftp.bls.gov/pub/special.requests/ep/ind-occ.matrix/occ_xls/occ_53-3032.xls for detailed projections by industry.

³ American Trucking Associations Trucking Activity Report, December 2009. FMCSA uses the turnover rate for truckload line-haul operations.

equals an estimated information collection burden for this training task of **117 hours** [$700 \times 10 \div 60$] annually.

HIRING OF LCV DRIVERS: In the course of driver hiring, an LCV driver submits the LCV Driver-Training Certificate to the employer, and the motor carrier receives and files it. FMCSA estimates that 10 minutes would be required for each LCV driver to submit his or her LCV training certificate to a new motor carrier, and for the motor carrier to receive and file it, that is, these 10 minutes include the burden to both drivers and carriers. For newly-trained LCV drivers, these hiring tasks will occur an estimated 700 times per year because each new LCV driver will present his or her new LCV certificate to a motor carrier. For established LCV drivers who received their LCV training certificate in previous years, FMCSA estimates that these hiring tasks will occur approximately 15,050 times, corresponding to the number of current LCV drivers who will begin employment with a new motor carrier each year. Therefore, the hiring tasks occur a total of 15,750 times. This equals an estimated information collection burden for the hiring tasks of **2,625 hours** [$15,750 \times 10 \div 60$].

TRAINING OF LCV INSTRUCTORS: The Agency estimates that there are approximately 60 LCV instructors nationwide. To qualify as an LCV instructor, each satisfied the requirements of Section 380.301 or Section 380.303. Unlike the drivers they train, LCV instructors do not receive a certificate evidencing their qualification to conduct LCV-driver training. The only paperwork burden imposed relative to LCV instructors is imposed by Section 380.305. This section requires LCV instructors to produce their LCV Driver-Training Certificate (indicating successful completion of LCV driver training) when asked by their employer, or a Federal, State or local official, pursuant to a compliance review. The FMCSA believes that this occurs so rarely as to render the paperwork burden insignificant. Accordingly, the burden is not a part of the calculation of this IC.

Total Annual Information Collection Burden: 2,742 hours [117 hours for Training of LCV Drivers + 2,625 hours for Hiring of LCV Drivers].

Total number of respondents: 31,500 drivers and motor carriers [700 new LCV drivers + 15,050 LCV drivers changing employers + 15,750 motor carriers]

Total number of responses: 31,500 responses [700 new LCV drivers + 15,050 LCV drivers changing employers + 15,750 motor carriers]

13. Estimate of total annual costs to respondents:

In order for LCV drivers to obtain training certificates, they must successfully complete a training program. In the 2004 LCV final rule⁴ the Agency estimated that each driver spends 50 hours in an LCV training program at a cost of \$45.50 per hour, for a total cost of \$2275 to complete the training. To update this cost estimate, the Agency adjusted it to account for inflation from 2004 to 2009 using the GDP deflator as its price index; this

⁴ 69 FR 16722

calculation resulted in an estimated 13.4 percent increase in costs. The cost for each new driver to receive LCV training has been adjusted to \$2580, and, with an estimated 700 drivers receiving training each year, the total annual cost to respondents is \$1,806,000.

14. Estimate of cost to the Federal government:

There is no cost to the Federal government for the information collection burden associated with 49 CFR part 380.

15. Explanation of program changes or adjustments:

Revisions in burden hours are due to an increase in the estimated number of LCV drivers submitting training certificates to employers. The number of new drivers was revised down from 1,200 to 700, but the previously approved estimates failed to account for driver turnover, which added 15,050 drivers to the number estimated to be completing this activity each year. All told, the estimated number of drivers increased from 1,200 to 15,750. Also, the cost to respondents was corrected to reflect the cost to new drivers to complete an LCV training program.

16. Publication of results of data collection:

The agency does not intend to publish the results of the information collection burden required by 49 CFR part 380.

17. Approval for not displaying expiration date of OMB approval:

The FMCSA does not seek approval for not displaying the expiration date of OMB approval for the information collection burden.

18. Exceptions to certification statement:

The agency is claiming no exception to any element of the certification statement identified in Item 19 of OMB Form 83I.

Part B. Collection of Information Employing Statistical Methods.

This ICR does not employ statistical methods.

ATTACHMENTS

Attachment A: Title 49 U.S.C. § 31307, “Minimum training requirements for operators of longer combination vehicles.”

Attachment B: Title 49 CFR § 1.73, “Delegation to the Administrator of the Federal Motor Carrier Safety Administration.”

Attachment C: A final rule entitled, “Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and Requirements for LCV Driver Instructors,” (69 FR 16722), published on March 30, 2004.

Attachment D: Title 23 CFR part 470.107, “Federal highway systems.”

Attachment E: Title 49 CFR part 380, “Special Training Requirements.”

Attachment F: 60-day Federal Register notice (75 FR 54945), published on September 9, 2010.

Attachment G: 30-day Federal Register Notice (75 FR 75540), published on December 3, 2010.