

DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION

SUPPORTING STATEMENT

**Bus Testing Program**

(OMB Control No. 2132-0550)

This supporting statement is associated with a request for reinstatement with no change of a previously approved information collection.

Justification

1. Circumstances that make the collection necessary.

49 U.S.C. Section 5323(c) provides that no federal funds appropriated or made available after September 30, 1989, may be obligated or expended for the acquisition of a new bus model (including any model using alternative fuels) unless the bus has been tested at the Bus Testing Center in Altoona, Pennsylvania. 49 U.S.C. Section 5318(a) further specifies that each new bus model is to be tested for maintainability, reliability, safety, performance (including braking performance), structural integrity, fuel economy, emissions, and noise.

The Pennsylvania State University's Thomas D. Larson Pennsylvania Transportation Institute (LTI) operates the Bus Testing Center under a cooperative agreement with the Federal Transit Administration (FTA). LTI operates and maintains the Center and establishes and collects fees for testing the vehicles at the facility. These fees are approved by FTA. Upon completion of the testing of the vehicle at the Center, a bus testing report is provided to the manufacturer of the new bus model. 49 CFR Part 665.7(a) states that a recipient of FTA funds must certify receipt of a copy of the test report before final acceptance of the first bus by the recipient.

The information is needed to document the specific bus that has been tested and to receive an inventory of spare parts. The information collected also certifies that the bus is licensed for operation on public roadways, carries adequate insurance, and complies with applicable Federal Motor Vehicle Safety Standards. The manufacturer or other entity must also provide this information to execute the contract for testing the bus and making payment.

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

LTI provides a test report to the bus manufacturer or entity having the test conducted upon completion of all the required testing at the Center. The Altoona Bus Testing Center (ABTC) handles the majority of the responsibilities for this process. The bus manufacturer uses the test report to certify that the bus to be purchased is the same model as the new bus model vehicle for which the test report was prepared. The purpose of bus testing is not to set a standard or grade the performance of the new bus model, but to provide performance information that the transit agency may use to make purchasing decisions. LTI maintains a reference file for all the test reports that are made available to the public.

### 3. Consideration of improved information technology.

To improve the accessibility and usefulness of the data contained in the bus testing reports, the reports are also maintained at [www.altoonabustest.com](http://www.altoonabustest.com) and may be viewed and downloaded from this website. The website provides users with the ability to search, filter, and export selected data for offline analysis. LTI is enhancing the functionality of the website.

### 4. Efforts to identify duplication.

There is no duplication. No other entity conducts and documents comparable data from the testing of new bus models. The test report is produced by LTI, which is the only place where all of the test reports are kept on file. In addition, 49 CFR Part 665 (the Bus Testing Regulation) seeks to minimize the burden on manufacturers by allowing, under certain circumstances, partial testing of previously-tested bus models that subsequently have major changes.

### 5. Methods used to minimize burden on small businesses or other small entities.

Each test report is prepared by LTI. Each bus manufacturer or entity under contract with LTI for testing of the vehicle keeps a copy of the test report in its files. There is a minimal cost burden to the entity having the bus tested. The test report is the only information or documentation that is being made available publicly in connection with any bus model tested at the Center.

### 6. Consequences to federal program or policy activities if collection were conducted less frequently.

It is not possible to collect the information less frequently, since it is required by statute if FTA funds are to be used in the procurement of a bus model and is only collected when a bus is actually tested.

### 7. Special circumstances that require the collection to be conducted in a manner inconsistent with 5 CFR 1320.6.

This information collection requirement is consistent with 5 CFR 1360.6.

### 8. Efforts to consult with persons outside the Agency to obtain their views.

A 60-day Federal Register notice was published on May 10, 2011 (pages 27172 and 27173), soliciting comments prior to submission to the Office of Management and Budget (OMB). No comments were received. The 30-day Federal Register notice was published August 3, 2011, (page 46893).

A Notice of Proposed Rulemaking was published on March 14, 2011, proposing changes to the bus testing procedures. The reporting requirements did not change. FTA is reviewing comments and expects the Final Rule to be published in November 2011.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gift is made to respondents.

10. Assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

49 CFR Part 665 states that upon completion of testing of a new bus model at the Bus Testing Center, LTI will provide a bus testing report to the bus manufacturer or entity that entered into a contract with the Center. Unless the manufacturer or entity specifies in writing that the vehicle will never be marketed, the vehicle test report automatically becomes a public document 60 days after completion of the test. Also, a bus testing report must be made available if the bus manufacturer responds to a procurement bid by an FTA-funded recipient. Test reports may be ordered from the Altoona Bus Testing Center for \$12.00 each plus a shipping charge. LTI provides copies of all publicly available test reports.

49 CFR Part 665.13(e) states that, “the test report is the only information or documentation that will be made available publicly in connection with any bus model tested at the facility.” The bus testing website makes it possible to obtain the same information that appears in the official bus testing reports in an electronic format.

FTA policy is to treat as confidential all information provided for purposes of evaluating requests for assistance in determining testing requirements for bus models that were previously tested, but are subsequently being produced with changes.

11. Additional information for questions of a sensitive nature.

No sensitive information is required.

12. Estimate of hour burden of the collection of information and annualized cost to respondents.

The operator of the Bus Testing Program operates and maintains the Bus Testing Center by the collection of fees from the testing of vehicles at the Center. The fee schedule established by LTI for bus testing is approved by FTA's Administrator. The estimated fee schedule for respondents for their 20 percent share of the testing fee (full testing of new model bus) is as follows:

- Each 12 Year Vehicle:  $\$203,990 \times .20 = \$40,798$
- Each 10 Year Vehicle:  $\$171,370 \times .20 = \$34,274$
- Each 7 Year Vehicle:  $\$141,860 \times .20 = \$28,372$
- Each 5 Year Vehicle:  $\$77,660 \times .20 = \$15,532$
- Each 4 Year Vehicle:  $\$60,570 \times .20 = \$12,114$

Manufacturers may, and often do, seek assistance from FTA to determine the applicability of the bus testing regulation to specific vehicle configurations. Correspondence may include technical drawings, detailed descriptions of changes, and photographs. The estimated cost to a manufacturer to prepare such correspondence for a single typical inquiry is estimated as follows:

Technical presentation:	\$120 (2 hours senior professional @ \$60/hr)
Clerical:	<u>25</u> (1 hour admin. support @ \$25/hr)
Subtotal:	\$145 (\$48.33/hour weighted average)

Based on an average rate of 50 manufacturer requests for assistance annually, the total cost to the industry is estimated as:

Total cost = 50 x \$145 = \$7,250  
Total hours = 50 x 3 = 150 hours

FTA estimates that approximately 22 bus manufacturers and recipients per year will require the full testing of new bus models or partial testing of previously-tested buses being produced with major changes. LTI operates the Test Center, conducts the tests, and produces the report(s). The bus manufacturer or the entity having the bus tested may maintain the report on file; however, the Altoona Bus Testing Center routinely handles all requests for dissemination of test reports and maintains file copies of all test reports.

To minimize the administrative burdens associated with the regulation, FTA requires that a recipient certify compliance with the regulation. Recognizing that some minor changes may be made to a vehicle, the regulation provides that the bus manufacturer's certification describes any changes that have been made to the vehicle since the new bus model was tested at the Bus Testing Center. If the bus manufacturer is of the opinion that a new bus model does not require additional testing, an explanation is included stating why these changes are not major. Therefore, the bus manufacturer's response includes a statement as to why the vehicle should not be required to undergo bus testing for a second time at the Center. If a bus manufacturer or entity is uncertain as to whether a particular change is "major," the manufacturer may request an FTA review on a case-by-case basis and FTA will determine what tests, if any, should be performed at the Center. These certification procedures are designed to strike a balance between administrative burden and adequate assurance of compliance with the legislation.

FTA estimates that based on program experience and discussions with bus manufacturers and recipients, the entire compliance process on average will total approximately 3 hours per year for each of the 22 buses tested in a typical year, for a total hourly burden associated with testing of 66 hours. At a weighted average hourly cost of \$48.33/hour, this equates to an annual cost burden of \$3,189.78.

This equals a total annual burden of 216 hours (150 hrs. for determination requests + 66 hrs. for compliance) at a cost of \$10,439.78 (\$7,250 for determination requests + \$3,189.78 for compliance). The cost of the test fees is highly variable, but is known in advance for any particular bus to be tested.

13. Estimate of total annual cost burden to respondents or record keepers resulting from the collection of information (not including the cost of any hour burden shown in Items 12 and 14).

There are no additional costs beyond that shown in Items 12 and 14.

14. Estimate of annualized cost to the federal government.

FTA's share of the bus testing fee for a new model bus tested at the Altoona Bus Testing Center is 80 percent of the testing cost for those vehicles requiring testing. The fee includes the normal costs for testing, vehicle servicing, and routine maintenance, inspection and fuel. The 80 percent federal share is paid directly to LTI, on a reimbursable basis for tests performed. The 80 percent federal share of the testing fee became effective on December 18, 1991, following the Intermodal Surface Transportation Efficiency Act (ISTEA). Also, the 80 percent federal share of the testing fee applies to those vehicles that are eligible for partial testing. Partial testing for new model buses became effective on July 28, 1992.

The estimated fee schedule for the 80 percent federal share of the testing fee (full testing of new bus model) is as follows:

- Each 12 Year Vehicle:  $\$203,990 \times .80 = \$163,192$
- Each 10 Year Vehicle:  $\$171,370 \times .80 = \$137,096$
- Each 7 Year Vehicle:  $\$141,860 \times .80 = \$113,488$
- Each 5 Year Vehicle:  $\$77,660 \times .80 = \$62,128$
- Each 4 Year Vehicle:  $\$60,570 \times .80 = \$48,456$

FTA estimates that 22 buses will actually complete a full or partial test in a typical year. FTA receives approximately \$3 million annually to operate the bus testing program.

15. Explain the reason for any program changes or adjustments reported in Items 13 or 14 of OMB Form 83-I.

The burden hours decreased from 404 hours for the previous request to 216 hours for this request, representing a burden reduction of 188 hours. The change is primarily due to an adjustment to correct the number of hours previously reported. Also, some reports are now available on the bus testing website.

16. Plans for tabulation and publication for collections of information whose results will be published.

FTA does not plan to publish this information.

17. If seeking approval not to display the expiration date for OMB approval, explain the reasons.

There is no reason not to display the expiration date of OMB approval.

18. Explain any exception to the certification statement identified in Item 19 of OMB Form 83-I.

There are no exceptions.

B. Collections of information employing statistical methods.

FTA does not utilize statistical methods to collect bus testing data due to the legislative mandate of the program that each new bus model must be tested. The bus testing database (available at [www.altoonabustest.com](http://www.altoonabustest.com)) allows users to export certain data from the bus testing reports that can then be subjected to statistical analyses by the user.