

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

**SUPPORTING STATEMENT
Motor Carrier Identification Report**

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) to extend its current approval of the OMB Control Number 2126-0013, "Motor Carrier Identification Report," information collection request (ICR), which is currently due to expire on July 31, 2012 for three years. FMCSA also requests approval of a minor modification of its estimate of the total burden hours for this ICR due to changes in the number of annual responses.

Part A. Justification.

1. Circumstances that make collection of information necessary.

The Department of Transportation and Related Agencies Appropriations Act for fiscal year 2002, Public Law 107-87, 115 Stat. 833, dated December 18, 2001 (see Attachment A), directed the agency to issue an interim final rule (IFR) to ensure that new entrant motor carriers are knowledgeable about the Federal Motor Carrier Safety Regulations (FMCSRs) and standards. On May 13, 2002, the agency published an IFR entitled, "New Entrant Safety Assurance Process" (67 FR 31978) (see Attachment B).

All motor carriers (not domiciled in Mexico) applying for the first time to operate in interstate commerce are "new entrants." Such carriers are required to certify that they are knowledgeable about and will comply with the FMCSRs (see 49 CFR Part 385 *et seq.*, Attachment C). This must be done in order to receive a USDOT number and begin interstate operations within the United States.

On June 30, 2004, FMCSA revised this ICR due to a program change set forth in a final rule entitled, "Federal Motor Carrier Safety Regulations: Hazardous Materials Safety Permits" (69 FR 39350) (see Attachment D), that increased the population of motor carriers required to complete FMCSA Form MCS-150, "Motor Carrier Identification Report—Application for a USDOT Number." The final rule adopted a slightly expanded list of hazardous materials (HM) that require motor carriers to have a permit to transport, comprised of the statutory list and additional explosive and toxic by inhalation (TIH) materials in certain quantities as appropriate. The final rule also established FMCSA Form MCS-150B, "Combined Motor Carrier Identification Report and HM Permit Application," for submission by all motor carriers that transport any of the permitted HM.

On December 16, 2008, FMCSA revised this ICR due to a program change set forth in a final rulemaking entitled, "New Entrant Safety Assurance Process," (73 FR 76472) (see Attachment E), that raised the standard of compliance for passing the new entrant safety audit. The agency eliminated FMCSA Form MCS-150A, "Safety Certification for Application for USDOT Number." The elimination of the MCS-150A form was the only portion of this final rule with

Paperwork Reduction Act (44 U.S.C. 3501 et seq.) implications for the OMB Control No. 2126-0013 ICR.

On December 17, 2008, FMCSA revised this ICR due to a program change set forth in a final rule entitled, “Requirements for Intermodal Equipment Providers and for Motor Carriers and Drivers Operating Intermodal Equipment,” (73 FR 76794) (see Attachment F). This regulation required intermodal equipment providers (IEPs) to: register and file with FMCSA an Intermodal Equipment Provider Report (Form MCS-150C) and update it every two years; establish a systematic inspection, repair, and maintenance program to assure the safe operating condition of each intermodal chassis; maintain documentation of their maintenance program; and provide a means to effectively respond to driver and motor carrier reports about intermodal chassis mechanical defects and deficiencies.

This information collection supports the Department’s strategic goal of safety by establishing and monitoring safe operating requirements for motor carriers, commercial vehicle drivers, vehicles, and vehicle equipment.

2. How, by whom, and for what purpose is the information 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 enforcement activities, to aid in assessing the safety outcomes of those activities and for statistical purposes.

FMCSA implemented the “Federal Motor Carrier Safety Regulations: Hazardous Materials Safety Permits” final rule (see Attachment D) to require all HM-permitted carriers to complete a new Form MCS-150B entitled, “Consolidated Motor Carrier Identification Report and HM Permit Application,” to provide the limited additional information required for issuance of a safety permit to transport hazardous materials. The safety program now requires all HM permitted carriers to complete Form MCS-150B in place of the current Form MCS-150. In addition, HM-permitted carriers must complete the MCS-150B in place of the MCS-150 to “renew” both their permit and their USDOT numbers according to the USDOT number renewal schedule in 49 CFR § 390.19 (see Attachment G). FMCSA implemented the “Requirements for Intermodal Equipment Providers and for Motor Carriers and Drivers Operating Intermodal Equipment,” (see Attachment G) final rule to require all intermodal equipment providers to complete Form MCS-150C entitled, "Intermodal Equipment Provider Identification Report" in order to register with the Agency and receive a USDOT number. FMCSA now regulates intermodal equipment providers and requires them to complete Form MCS-150C, instead of Form MCS-150. In addition, intermodal equipment providers must complete Form MCS-150C to update their USDOT number record according to the USDOT number update schedule in 49 CFR 390.19.

This ICR has been disaggregated into three information collections (ICs) as follow:

- a. IC-1, Form MCS-150, Motor Carrier Identification Report. The Form MCS-150 is filed by all motor carriers conducting operations in interstate or international commerce before beginning operations.

- b. IC-2, Form MCS-150B, Combined Motor Carrier Identification and HM Permit Application. The Form MCS-150B is filed by interstate motor carriers that transport the permitted hazardous materials.
- c. IC-3, Form MCS-150C, Intermodal Equipment Provider Identification Report. The Form MCS-150C is filed by intermodal equipment providers that interchange intermodal equipment with a motor carrier or has a contractual responsibility for the maintenance of the intermodal equipment.

3. Extent of automated information collection.

In response to the Government Paperwork Elimination Act, Public Law 105-277, 112 Stat. 2681, (See Attachment H), FMCSA allows all respondents to complete Forms MCS-150 (Application for USDOT Number) and MCS-150B (HM Permit Application) on-line at the FMCSA Web site, <http://www.fmcsa.dot.gov/factsfigs/formspubs.htm>. The Form MCS-150C may be obtained on-line at the FMCSA website, <http://www.fmcsa.dot.gov/rules-regulations/topics/IEP/registration.htm>. The FMCSA estimates the percentage of forms submitted annually to the agency on-line as follows:

On-line Submission of MCS-150 Forms		
Forms	New	Changes
MCS-150	70%	40%
MCS-150B	60%	85%
MCS-150C	80%	80%

4. Efforts to identify duplication.

There is no duplication. The FMCSA was unable to find any other collections of information that requests this information.

5. Efforts to minimize the burden on small businesses.

The DOT Appropriations Act for fiscal year 2002, Public Law 107-87, 115 Stat. 833, (Attachment A) directed the agency to issue an interim final rule to ensure that new entrant motor carriers are knowledgeable about Federal safety standards and regulations. The requirement to submit this information applies to all motor carriers conducting operations in interstate commerce regardless of size.

6. Impact of less frequent collection of information.

The 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 February 6, 2012, FMCSA published a notice in the Federal Register (77 FR 5868) (Attachment L) with a 60-day comment period announcing its intention to seek OMB review and approval to revise this ICR. The agency did not receive any comments in response to this notice.

On May 11, 2012, FMCSA published a notice in the Federal Register (77 FR 27836) (Attachment M) with a 30-day comment period that announced that FMCSA was sending this ICR to OMB for approval.

9. Payment or gifts to respondents.

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

10. Assurance of confidentiality.

The confidentiality of the information collected from the ICR respondents will be protected to the extent allowed by the Freedom of Information Act (FOIA), 5 U.S.C. § 552 as amended, (Attachment J).

11. Justification for collection of sensitive information.

There are no questions of a sensitive nature.

12. Estimates of burden hours for information requested.

IC-1: Form MCS-150, Motor Carrier Identification Report

The annual burden hour estimates are based on motor carrier application data derived from FMCSA’s Motor Carrier Management Information System (MCMIS). FMCSA estimates that the respondents will complete the Form MCS-150 as follows: (1) 20 minutes for new filings; 2) 10 minutes for biennial updates; and (3) 5 minutes for changes. MCMIS is, however, unable to differentiate between the changes made to MCS-150 information due to biennial updates and other changes. MCMIS tracks all changes the same and does not collect information on the reason. FMCSA in the past has tried to estimate which changes were due to biennial updates and which were other changes, but it is questionable whether this actually improved the accuracy of the burden estimates. Consequently, FMCSA has decided to use an estimate of 7.5 minutes, the average of 10 minutes for biennial updates, and 5 minutes for other changes, for any change to MCS-150 data logged in MCMIS.

MCS-150	New Filings	Biennial Updates and Changes	Total	Total Respondents
Interstate	50,308	329,186	379,494	303,277

Carriers				
Intrastate Hazmat Carriers	1,738	4,669	6,407	5,345
Intrastate Non-Hazmat Carriers	48,450	43,265	91,715	83,359
Other (Shipper & Registrants)	26,480	32,553	59,033	53,355
Total	126,976	409,673	536,649	445,336
Minutes per Response	20	7.5		
Annual Hourly Burden	42,325	51,209	93,534	

Estimated Total IC-1 Annual Burden: 93,534 hours [(126,976 new filings × 20 minutes ÷ 60 minutes) + (409,673 biennial updates and changes × 7.5 minutes ÷ 60 minutes)].

Estimated IC-1 Annual Number of Respondents: 445,336.

Estimated IC-1 Annual Number of Responses: 536,649.

IC-2: Form MCS-150B, Combined Motor Carrier Identification Report and HM Permit Application

Interstate motor carriers already must complete the MCS-150 and will only incur an additional 6-minute burden to check off a few additional boxes on the MCS-150B form. It is estimated that the respondents will take 5 minutes on average to complete a change request.

MCS-150B	New Filings	Changes	Total	Total Respondents
Interstate Carriers	148	2,294	2,442	1,368
Intrastate Hazmat Carriers	68	322	390	298
Intrastate Non-Hazmat Carriers	11	12	23	21
Other (Shipper & Registrants)	17	67	84	60
Total	244	2,695	2,939	1,747
Minutes per Response	6	5		
Annual Hourly Burden	24	225	249	

Estimated Total IC-2 Annual Burden: 249 hours [(244 new filings × 6 minutes ÷ 60

minutes) + (2,695 changes × 5 minutes ÷ 60 minutes)].

Estimated IC-2 Annual Number of Respondents: 1,747.

Estimated IC-2 Annual Number of Responses: 2,939.

IC-3: Form MCS-150C, Intermodal Equipment Provider Identification Report

Intermodal equipment providers file Form MCS-150C. FMCSA estimates the Form MCS-150C would take 20 minutes the first time that IEPs file this report, and that biennial updates or changes to this information would take 7.5 minutes.

	New Filings	Changes	Total	Total Respondents
Total	26	0	26	26
Minutes per Response	20	7.5		
Annual Hourly Burden	9	0	9	

Estimated Total IC-3 Annual Burden: 9 hours [(26 new filings × 20 minutes ÷ 60 minutes) + (0 biennial updates and changes × 7.5 minutes ÷ 60 minutes)].

Estimated IC-3 Annual Number of Respondents: 26.

Estimated IC-3 Annual Number of Responses: 26.

Total for IC-1, IC-2, and IC-3

	Annual Burden	Responses	Respondents
IC-1	93,534	536,649	445,336
IC-2	249	2,939	1,747
IC-3	9	26	26
Total	93,792	539,614	447,109

Estimated Total Annual Burden for ICR: 93,792 hours (93,534 hours for IC-1 + 249 hours for IC-2 + 9 hours for IC-3).

Estimated Total Number of Annual Respondents for ICR: 447,109 (445,336 respondents for IC-1 + 1,747 respondents for IC-2 + 26 respondents for IC-3).

Estimated Total Number of Annual Responses for ICR: 539,614 (536,649 responses for IC-1 + 2,939 responses for IC-2 + 26 responses for IC-3).

13. Estimate of total annual cost to respondents.

There are no other costs to respondents if they use the pre-paid return form.

14. Estimate of cost to the Federal Government.

The costs to the Federal Government from this information collection are associated with printed paper registration forms submitted by mail. FMCSA prints and mails these forms, as requested, to filers, and pays for return postage. The Agency estimates that the cost of printing and mailing (\$0.44 postage each way) in total is about \$1.00 for each form. In addition, the information from these forms must be manually entered. FMCSA estimates that it takes a clerk 2 to 9 minutes per form, or 5.5 minutes on average, to process a form at an hourly rate of \$27.96, or about \$2.50 per form (5.5 minutes/60 minutes × \$27.96 per hour = \$2.56).

	IC-1: MCS150	IC-2: MCS150B	IC-3: MCS150C	Number of Forms	Cost per Form	Total Cost
Printing and Postage of Forms Submitted by Mail	38,093	98	26	38,217	\$1.00	\$38,217
Data Entry	38,093	98	26	38,217	\$2.56	\$97,836
Total Estimated Annual Costs						\$136,053

Estimate of Annual Cost to Federal Government: \$136,053 [(38,217 mailed forms × \$1.00 per form) + (38,217 forms × \$2.56 per form for data entry) = \$136,053].

15. Explanation of program changes or adjustments.

The program adjustment decrease of -15,213 estimated annual burden hours [109,005 approved annual hours – 93,792 proposed annual hours = 15,213] for this ICR is due primarily to a decrease of -77,417 in the estimated annual number of responses [617,031 annual responses – 539,614 proposed annual responses = -77,417], as shown below.

	Annual Burden	Responses
Proposed	93,792	539,614
Previously Approved	109,005	617,031
Change	-15,213	-77,417

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 on the Forms MCS-150, MCS-150B or MCS-150C.

18. Exception to certification statement.

There are no exceptions to the certification statement.

Attachments

Attachment A. Public Law 107-87, 115 Stat. 833, December 18, 2001.

Attachment B. IFR entitled, "New Entrant Safety Assurance Process," (67 FR 31978), May 13, 2002.

Attachment C. 49 CFR 385, entitled, "Safety Fitness Procedures," June 30, 2004.

Attachment D. Final Rule entitled, "Federal Motor Carrier Safety Regulations: Hazardous Materials Safety Permits," (69 FR 39350), June 30, 2004.

Attachment E. Final Rule entitled, "New Entrant Safety Assurance Process," (73 FR 76472), December 16, 2008.

Attachment F. Final Rule entitled, "Requirements for Intermodal Equipment Providers and for Motor Carriers and Drivers Operating Intermodal Equipment," (73 FR 76794), December 17, 2008.

Attachment G. 49 CFR 390.19, entitled, "Motor carrier, hazardous material shipper, and intermodal equipment provider identification reports," December 17, 2008.

Attachment H. Government Paperwork Elimination Act, Public Law 105-277, 112 Stat. 2681.

Attachment H. 60-day comments request Federal Register notice (77 FR 5868), November 7, 2007.

Attachment I. 30-day comment request Federal Register notice (77 FR 27836), January 17, 2008.

Attachment J. Freedom of Information Act (FOIA), 5 U.S.C. § 552 as amended.

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

Part B. Collections of Information Employing Statistical Methods.

This information collection does not employ statistical methods.