

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

**SUPPORTING STATEMENT
Inspection, Repair and Maintenance**

INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) submits this supporting statement to the Office of Management and Budget (OMB) because the Agency proposes to revise a currently-approved information collection request (ICR) entitled, “*Inspection, Repair and Maintenance*,” assigned OMB Control Number 2126-0003. This proposed change is part of a Notice of Proposed Rulemaking, Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report (78 FR 48125, August 7, 2013) (Attachment A), referred to in the remainder of this document as the DVIR NPRM. The NPRM proposes to eliminate the requirement for commercial motor vehicle (CMV) drivers operating in interstate commerce, except drivers of passenger-carrying CMVs, to submit – and motor carriers to retain – DVIRS when the driver has neither found nor been made aware of any vehicle defects or deficiencies.

Part A. Justification.

1. Circumstances that make collection of information necessary:

Section 204(a) of the Motor Carrier Act, 1935 (codified at 49 U.S.C. § 31502) (Attachment B) authorizes the Secretary of Transportation (the Secretary) to prescribe requirements for the safety of operation of equipment of motor carriers. Section 206 of the Motor Carrier Safety Act of 1984 (codified at 49 U.S.C. § 31136) (Attachment C) requires the Secretary to prescribe regulations that ensure that commercial motor vehicles (CMVs) are maintained. Section 210 of the Motor Carrier Safety Act of 1984 (codified at 49 U.S.C. § 31142) (Attachment D) requires the Secretary to establish standards for annual or more frequent inspections of CMVs. Section 9110 of the Truck and Bus Safety and Regulatory Reform Act of 1988 (codified at 49 U.S.C. § 31137(b)) (Attachment E) requires the Secretary to prescribe regulations on improved standards or methods to ensure that brakes and brake systems of CMVs are maintained properly and inspected by appropriate employees.

Title 49 CFR part 396 entitled, “*Inspection, Repair, and Maintenance*” (Attachment F), of the Federal Motor Carrier Safety Regulations (FMCSRs), contains regulations which implement these statutory provisions. These regulations place the responsibility upon the motor carrier to ensure that all CMVs operated by them or their drivers, and all CMV parts and accessories required by 49 CFR part 393 entitled, “*Parts and Accessories Necessary for Safe Operation*” (Attachment G), are in safe and proper operating condition at all times. The regulations allow motor carriers a great deal of flexibility in their inspection, repair, and maintenance programs. The recordkeeping requirements are minimal and there are no prescribed forms for carriers to use to meet these requirements.

For some required records, motor carriers may either maintain them or cause a third party to do so. The regulations also permit the motor carrier to establish its own systematic CMV maintenance program on either a mileage or time basis.

The motor carrier industry has never questioned the need to keep CMV maintenance records. In fact, most motor carriers would keep some records in the normal course of their business without any regulatory requirements to do so. Records for inspection, repair, and maintenance; roadside inspection reports; driver vehicle inspection reports; the documentation of periodic inspections; the evidence of the qualifications of individuals performing periodic inspections; and the evidence of brake inspectors' qualifications contain the minimum amount of information necessary to document that a motor carrier has established a system of inspection, repair, and maintenance for its equipment which meets the standards in part 396.

Subsequent legislation made three more categories of transportation providers subject to these requirements. Section 4008(a)(2) of the Transportation Equity Act of the 21st Century (TEA-21)(Pub. L. 105-178, 112 Stat. 107, June 9, 1998) again amended the passenger vehicle component of the CMV definition in 49 U.S.C. 31132(1).

“Commercial motor vehicle was defined (in 49 U.S.C 31132) to mean a self-propelled or towed vehicle used on the highways in interstate commerce to transport passengers ... if the vehicle ... is designed or used to transport more than 8 passengers (including the driver) for compensation.” (Attachment H). FMCSA issued a final rule to implement this provision on January 11, 2001 (Attachment I).

Section 4118 of The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)(Public Law 109-59, 119 Stat. 1144, at 1729, August 10, 2005), added new section 31151 (Attachment J), entitled “*Roadability*,” to subchapter III of chapter 311 of title 49, United States Code. Section 31151(a)(1) requires the Secretary to issue regulations to be codified in the FMCSRs “to ensure that intermodal equipment [IME] used to transport intermodal containers is safe and systematically maintained.” The legislation defines “intermodal equipment” as trailing equipment that is used in the intermodal transportation of containers over public highways in interstate commerce, including trailers and chassis. The term “intermodal equipment provider” (IEP) is defined as any person that interchanges IME with a motor carrier pursuant to a written interchange agreement or has a contractual responsibility for the maintenance of the intermodal equipment.”

Section 4136 of SAFETEA-LU [Pub. L. 109-59, 119 Stat. 1144, 1745, August 10, 2005] (set out as a note to 49 U.S.C. 31136) (Attachment K) states that “The Federal motor carrier safety regulations that apply to interstate operations of commercial motor vehicles designed to transport between 9 and 15 passengers (including the driver) shall apply to all interstate operations of such carriers regardless of the distance traveled.”

On December 17, 2008, the FMCSA revised this ICR due to new program requirements in a final rule entitled, “*Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment*” (73 FR 76794) (Attachment L).

On June 12, 2012, the FMCSA revised this ICR due to new program requirements in a final rule *Inspection, Repair and Maintenance; Driver-Vehicle Inspection Report (DVIR) for Intermodal Equipment*, (77 FR 34846) (Attachment M). This final rule reduces the paperwork burden associated with the inspection, repair, and maintenance of IME. This reduction in burden hours and paperwork burden eliminates some of the burden associated with that final rule.

Presidential Executive Order (E.O.) 13563, “Improving Regulation and Regulatory Review” (issued January 18, 2011, and published January 21 at 76 FR 3821), prompted the Department of Transportation (DOT) to publish a notice in the Federal Register (76 FR 8940, February 16, 2011). This notice requested comments on a plan for reviewing existing rules, as well as identification of existing rules that DOT should review because they may be outmoded, ineffective, insufficient, or excessively burdensome. The DVIR NPRM responds to E.O. 13563, and proposes regulatory changes that, if adopted as proposed, would significantly reduce the associated information collection burden.

This information collection supports the Department of Transportation's (DOT) strategic goal of safety. The information collection ensures that motor carriers have adequate records to document the inspection, repair, and maintenance of their CMVs, and to ensure that adequate measures are taken to keep their CMVs in safe and proper operating condition at all times. Compliance with the inspection, repair, and maintenance regulations helps to reduce the likelihood of accidents attributable, in whole or in part, to the mechanical condition of the CMV.

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

The information is used by the FMCSA and State officials during compliance and enforcement activities to verify that a motor carrier (and, for IME, an IEP) has established an inspection, repair, and maintenance program for its equipment which meets the standards in part 396. During these activities, FMCSA and State officials and representatives examine the information to determine whether the motor carrier systematically inspects, repairs, and maintains all CMVs subject to its control. The systematic program must include routine inspections and maintenance. The program must also include reports of vehicle defects by drivers, thorough inspections at least once per year by qualified individuals, and performance of work on brakes by qualified employees.

It is generally recognized that there is a relationship between inspection, repair, and maintenance practices for CMVs and defect-related CMV accidents. CMVs are frequently operated in excess of 100,000 miles annually. Safety professionals, enforcement officials and personnel, and employees in the trucking and motorcoach industries recognize that documenting CMV inspection, repair, and maintenance is an important activity to the furtherance of highway safety. These records are also critically important in determining if a motor carrier's maintenance practices were causal factors in an accident.

3. Extent of automated information collection:

FMCSA does not require inspection, repair and maintenance information to be submitted to the agency. Motor carriers and IEPs are required to maintain the equipment information at their facilities and to make the information available if requested during a compliance review or investigation. All records and documents required to be maintained may be electronically imaged and those records retained in lieu of the original record for the required retention period. Also, other records may be maintained in an electronic format provided the motor carrier can produce the information required by the regulations (January 4, 2011; 76 FR 411). Although 100% of the information could theoretically be collected electronically, FMCSA believes that only 5% is actually collected electronically. Zero percent (0%) of the information is submitted to the Agency.

4. Efforts to identify duplication:

FMCSA has identified periodic inspection requirements promulgated by other agencies. Periodic inspection programs of 23 States, the District of Columbia, the Alabama Liquefied Petroleum Gas Board, 10 Canadian Provinces, and one Canadian Territory were identified as comparable to, or as effective as, the Federal periodic inspection requirements. Because they are comparable to the Federal requirements, the FMCSA's periodic inspection and the related recordkeeping are not required for motor carriers that comply with these equivalent periodic inspection programs. In addition, CMVs passing certain roadside inspections are considered to have met the requirements of a periodic inspection; there are no additional "periodic inspection" recordkeeping requirements for these CMVs in most cases. FMCSA is not aware of any other duplicative standards or recordkeeping requirements that apply to motor carriers.

Concerning the agency regulations for IEP equipment providers, FMCSA is aware of one State only – California – that actively regulates the inspection, repair, and maintenance of IME, although four other States — Illinois, Louisiana, New Jersey, and South Carolina — have regulations on the subject.

5. Efforts to minimize the burden on small businesses:

Currently, the recordkeeping requirements in 49 CFR part 396 are applicable only to motor carriers subject to the FMCSRs (49 CFR 390.3) (Attachment N) and operating CMVs (as defined in 49 CFR § 390.5)(Attachment O). The Agency estimates that there are approximately 690,843¹ interstate motor carriers subject to the FMCSRs. Each of these motor carriers operate vehicles that: (1) have a gross vehicle weight rating or gross weight of 10,001 pounds or more, or (2) are designed or used to transport 16 or more

¹ This estimate is the baseline that currently appears in ROCIS. FMCSA has recently revised its procedure for estimating the number of active motor carriers in interstate commerce, see additional discussion in footnote on page 11.

passengers (including the driver), or (3) are used to transport hazardous materials in a quantity requiring placarding of the vehicle. Inspection, repair, and maintenance records, therefore, are not required for vehicles with a gross vehicle weight rating or gross vehicle weight of 10,000 pounds or less (except trailers used in vehicle combinations with gross combination weight ratings of 10,001 or more pounds); vehicles designed or used to transport between 9 and 15 passengers (including the driver) not for direct compensation; and vehicles transporting non-placarded quantities of hazardous materials. FMCSA's Motor Carrier Management Information System (MCMIS) indicates that approximately 80 percent of active motor carriers operate between one and six power units (trucks, truck tractors, buses, or motor coaches).

There are no recordkeeping requirements for CMVs leased by motor carriers for less than 30 days. Finally, motor carriers operating only one CMV and private motor carriers of passengers, non-business, are exempt from the driver vehicle inspection reporting requirements in 49 CFR § 396.11 (see Attachment F). As of the last update of this Information Collection (June 2012) the MCMIS listed 325,795 active motor carriers that operate only one CMV.

6. Impact of less frequent collection of information:

If the recordkeeping activities were required to be completed less frequently, it would greatly hinder the ability of FMCSA and State enforcement personnel to ascertain that CMVs (and, as set forth in the final rule, IME) are satisfactorily maintained. The timely documentation of CMV inspection, repair, and maintenance enables FMCSA and State enforcement personnel to evaluate a motor carrier's CMV maintenance program. FMCSA will also be able to check the current level of regulatory compliance of the carrier at any point in its maintenance schedule or program.

7. Special circumstances:

There are no special circumstances.

8. Compliance with 5 CFR 1320.8:

On August 7, 2013, FMCSA published a NPRM entitled "*Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report*" (78 FR 48125) (Attachment A), which proposes to eliminate the requirement for drivers operating in interstate commerce, except drivers of passenger-carrying CMVs that are otherwise subject to the Part 396 requirements, to submit, and motor carriers to retain DVIRs when the driver has neither found nor been made aware of any vehicle defects or deficiencies. Any comments received in response to the NPRM will be addressed in the final rule.

9. Payments or gifts to respondents:

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

10. Assurance of confidentiality:

This information collection involves only one reporting requirement that has no confidentiality implications. All other components of this information collection are recordkeeping requirements. Confidentiality is not an issue for recordkeeping requirements because the motor carrier retains possession of its own records.

11. Justification for collection of sensitive information:

There are no questions of a sensitive nature.

12. Estimate of burden hours for information requested:

FMCSA estimates that the current total annual hour burden of this information collection associated with systematic inspection, repair, and maintenance of is approximately 58,093,888 hours. The Agency estimates that the revisions associated with the DVIR NPRM would reduce this by approximately 46,669,294 hours, for a revised estimated burden of 11,424,594 hours. A breakdown of this information collection burden follows:

Routine Inspection, Repair, and Maintenance Records

Section 396.3 of title 49, CFR, requires every interstate motor carrier (except those operating CMVs designed or used to transport between 9 and 15 passengers, including the driver, not for direct compensation) to cause all CMVs subject to its control to be systematically inspected, repaired, and maintained. FMCSA estimates there are 24 recordkeeping entries related to these activities on average per year for each CMV. Each entry would take approximately 2 minutes to record. Items, such as, push-out windows, emergency doors, and, emergency door marking lights in buses must be inspected at least every 90 days, or at least 4 times per year. There is one recordkeeping entry for each of the emergency exit inspections, for a total of 4 entries per year for each bus. Also, each entry concerning emergency exit inspections would take approximately 2 minutes.

The current total burden for these recordkeeping activities is approximately 3,932,474 hours. This burden remains unchanged by the DVIR NPRM.

Driver Vehicle Inspection Reports

A driver must prepare a written inspection report at the completion of each day's work on each CMV operated, except when his or her employing motor carrier operates only one CMV. FMCSA estimates the time for a driver to prepare a written inspection report and provide a copy to his/her employing motor carrier is approximately 2.5 minutes on average.

If a driver finds evidence of a vehicle defect, section 396.11(c)(1) requires a motor carrier to certify on a driver vehicle inspection report which lists any defect or deficiency that

the defect or deficiency has been corrected or that correction is unnecessary. FMCSA estimates that certification of corrective action takes 0.5 minutes.

Section 396.13 requires a driver to review the last vehicle inspection report and sign it, if defects or deficiencies were noted by the driver who prepared it, to acknowledge that it was reviewed and that there is a certification that repairs were made or were unnecessary. The Agency estimates that this review takes 5 seconds (0.083 minutes) for inspection reports which have noted no vehicle defects, and 20 seconds (0.333 minutes) for reports which have noted defects.

FMCSA estimates that drivers discover vehicle defects in 5 percent of inspections.

The total burden per inspection when no defect is found is 2.583 minutes (2.5 minutes per inspection + 0.083 minutes to review inspection report); the total burden per inspection when a defect is found is 3.333 minutes (2.5 minutes per inspection + 0.5 minutes to certify corrective action + 0.333 minutes to review inspection report)

The currently approved annual burden for DVIRs is 50,214,032 hours. This was a revision from the original baseline of 51,374,832 hours. The 9-15 for-direct-compensation passenger van rule, by adding a requirement for drivers of these CMVs to perform DVIRs, added 475,200 hours,² bringing the total to 51,850,032 hours (51,374,832 hours + 475,200 hours). As a result of the “*Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment*” (73 FR 76794) final rule, drivers hauling IME are required to fill out this driver inspection report and file it with the IEP. The burden hours associated with this requirement are incorporated into the 51,850,032 hours associated with this part of the information collection.

The IEP DVIR final rule of June 12, 2012 eliminated the requirement that drivers³ transporting IME must file an inspection report for that IME if the driver finds no defects in the equipment, and if the driver has not been made aware of any (such as through a roadside inspection report). As a result of this change in the requirement concerning submittal of DVIR reports to IEPs, the paperwork burden associated with this collection was reduced by 1,636,000 hours.⁴ That was the last agency action affecting DVIR

² Computed as follows: 43,200 passenger vans x 11 hours per year = 475,200 hours.

³ As this burden falls on drivers, the value of this time can be monetized using the prevailing wage for truck drivers. We use the median annual wage for BLS occupation category 53-3032 Heavy and Tractor-Trailer Truck Drivers from the May 2011 Occupational Employment and Wages report, the most recent available. The median wage for truck drivers from this report is \$18.24 per hour, which we inflate by 55 percent to account for fringe benefits and 27 percent to account for overhead. This produces a total loaded hourly time value of \$36.00, rounded to the nearest dollar (the exact amount is \$35.90). The estimated costs savings is \$1.55 per transaction (155 seconds x \$36 per hour / 3600 seconds per hour = \$1.55).

⁴ Carriers subject to the DVIR requirement are assumed to operate their vehicles 250 working days per year. The annual per vehicle burden is [(250 days x ((95% inspections with no defects x 2.583 minutes per inspection) + (5% inspections with defects x 3.333 minutes per inspection))) ÷ 60 minutes per hour = 10.92 hours = 11 hours rounded]. The current total burden for these all activities related to driver post-trip inspections is approximately 51,374,832 hours.

requirements, and brought the reduced the annual total burden to the 50,267,032 hours (51,850,032 – 1,636,000) that have been currently approved.⁵

Where the June 2012 IEP DVIR final rule removed the requirement for drivers to prepare an inspection report if no defects or deficiencies were discovered or reported for only a small segment of the CMV population (IME), the DVIR NPRM proposes to remove the same burden on the remainder of CMV operations, with the exception of certain passenger-carrying CMVs.

If the DVIR NPRM were to go into effect, FMCSA estimates that 93 percent of the burden associated with DVIRs would be eliminated. The remaining burden would be associated with DVIRs that note defects and no-defect DVIRs for passenger-carrying CMVs. The annual burden remaining from these two activities would be 2,564,615 hours and 980,123 hours respectively. Table 2 illustrates how these results were calculated.

Table 2: Detail of DVIR PRA Calculations

Activity	Number of CMVs or CMV Combinations	Utilization Rate (of 365 Calendar Days)	Percent of CMVs Affected	Total DVIRs (CMVs × Utilization Rate × Percent of CMVs Affected × 365)	Burden per DVIR	Total Annual Hourly Burden
Defect DVIRs, All	4,578,250	65%	5%	54,309,491	170 seconds	2,564,615
No Defect DVIRs, passenger-carrying CMVs	101,000	65%	95%	22,764,138	155 seconds	980,123
Total						3,544,738

After this proposed rule becomes effective, defect DVIRs will create 2,564,615 hours of annual burden (4,578,250 CMVs × 65% utilization × 365 days × 5% of CMVs × 170 seconds ÷ 3,600 seconds per hour). The annual hourly burden of no defect DVIRs for non-passenger carrying CMVs is estimated to be 980,123 hours (101,000 CMVs × 65% utilization × 365 days × 95% of CMVs × 155 seconds ÷ 3,600 seconds per hour). The

⁵ Once the inspection report is completed, the driver is required to review and sign the report. Reviewing and signing the inspection report is estimated to take approximately 5 seconds. The IEP DVIR rule eliminated this burden for the estimated 38 million inspections for which no defects to IME are noted. This reduces the burden associated with this task by 53,000 hours (40 million IEP DVIR × 95 percent no defect rate × 5 seconds per DVIR ÷ 3600 seconds per hour = 52,778) rounded to the nearest thousand. This further reduces the burden to 50,214,032. The total burden reduction as a result of the June 2012 IEP DVIR final rule is 1,636,000 hours.

total remaining hourly burden of DVIRs will be 3,544,738 hours. This new total represents a reduction of 46,669,294 hours compared to the 50,214,032 hours of annual burden estimated in the currently approved ICR.

Using a labor cost of \$36 per hour, (using a base wage of \$18.24, fringe benefits of 55 percent⁶, and overhead of 27 percent) the Agency valued this time savings at \$1.7 billion per year (46.7 million hours saved × \$36 per hour). If passenger-carrying CMV drivers were allowed to stop producing no defect DVIRs, an additional 980,000 burden hours would be saved, which can be valued at \$35 million per year (980,000 hours saved × \$36 per hour). (These annualized figures are the same for both 7 and 3 percent discount rates.)

Disposition of Roadside Inspection Reports

The driver of any CMV to which a roadside inspection is performed must deliver the inspection report to his/her employing motor carrier. If the driver is not scheduled to return or arrive at the motor carrier's facility or terminal within 24 hours, the driver must mail or otherwise transmit the roadside inspection report to the motor carrier. Upon receiving the report, the motor carrier must examine it, ensure that all noted violations and defects are corrected, certify that the violations have been corrected, and return the completed report to the agency that issued it. (Generally, this would be a State agency that is an FMCSA Motor Carrier Safety Assistance Program grantee.). If the report has no noted violations or defects, no certification or return of the report is required.

According to the FMCSA's roadside inspection data, 24% of roadside inspections have no noted defects or violations.

There are approximately 3,003,574 roadside inspections conducted annually. The FMCSA estimates that 45% of the drivers involved in roadside inspections do not return to their motor carrier's facility or terminal within 24 hours of the inspection. The agency also estimates that it takes a driver approximately 2 minutes to mail an inspection report to his/her employing motor carrier.

The hour burden related to the mailing of inspection reports by drivers is 34,241 hours (3,003,574 inspections x 76% portion of inspections with violations x 45% (percentage of drivers who do not return within 24 hours) x 2 minutes x [1 hour /60 minutes] = 34,241 hours).

The time needed for a motor carrier to examine the report depends on the amount of information within the report, but the FMCSA estimates that it takes a motor carrier approximately 5 minutes on average to examine the inspection report, certify that the noted violations have been corrected, mail the certified report, and retain and file a copy.

⁶ The ratio of total fringe benefits to wages and salaries for transportation and warehousing workers. See http://www.bls.gov/news.release/archives/ecec_06072012.pdf. Table 10, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Private industry workers, by industry group, March 2012. Transportation and Warehousing. <http://www.bls.gov/news.release/pdf/ecec.pdf>. Accessed March 7, 2013.

The hour burden related to these activities is 190,226 hours (3,003,574 inspections x 76% portion of inspections with violations x 5 minutes x [1 hour /60 minutes]).

The current annual burden related to the motor carrier disposition of roadside inspection reports is **224,467 hours**. This burden is not changed by the DVIR NPRM.

Periodic Inspection

Section 396.17 of title 49, CFR, prohibits a motor carrier from using a CMV unless the CMV has passed an inspection at least once during the preceding 12 months and documentation of such inspection is on the CMV. The documentation may be the inspection report prepared in accordance with § 396.21(a) or other forms of documentation, such as a sticker or decal, that contains the following information: the date of the inspection; the name and address of the motor carrier or other entity where the inspection report is maintained; information uniquely identifying the vehicle inspected if not clearly marked on the vehicle; and a certification that the vehicle has passed an inspection in accordance with § 396.17. The original or copy of an inspection report must be retained where the CMV is either housed or maintained.

FMCSA estimates that the time needed to document and retain the inspection report is approximately 3 minutes. CMVs passing roadside or periodic inspections performed under the auspices of a State government, equivalent jurisdiction, or the FMCSA, meeting the minimum standards, are not subject to the inspection requirements in 49 CFR § 396.17.

The current annual burden related to the periodic inspection is **3,685,060 hours**. The burden is not changed by the DVIR NPRM.

Records of Inspector Qualifications

Motor carriers must retain evidence of an individual's qualifications to perform periodic inspections. The Agency estimates that time needed for a motor carrier to document an inspector's qualifications is approximately 5 minutes on average.

The current annual burden related to the maintaining records of inspector qualifications is **17,999 hours**. This burden is not changed by the DVIR NPRM.

Evidence of Brake Inspector Qualifications

No motor carrier may employ any person as a brake inspector unless; the motor carrier maintains evidence of the inspector's qualifications at the carrier's principal place of business, or at the location where the brake inspector is employed. If the person who inspects, repairs, services, or maintains the CMV brakes is not an employee of the motor carrier, then the motor carrier is not required to maintain qualification evidence for that

person. The Agency estimates that the time needed for a motor carrier to document a brake inspector's qualifications is approximately 5 minutes on average.

The current annual burden related to the maintaining records of inspector qualifications is **19,856 hours**. This burden is not changed by the DVIR NPRM.

Estimated Number of Annual Respondents

Current: 690,843 (baseline).⁷

Estimated Number of Annual Responses:

Current: 1,442,129,680 [117,974,220 for Routine Inspection, Repair and Maintenance Records + 1,212,000,000 for DVIR, 2,282,716 for Disposition of Roadside Inspection Reports, + 73,701,200 for Periodic Inspection + 215,988 for Record of Inspector Qualifications + 238,272 for Evidence of Brake Inspector Qualifications.]

The IEP DVIR final rule reduced responses by 38 million annually for the DVIR program area, and burden hours for that same program area by 1,636,000 annually. Burden hours and responses for other program areas were not affected by the final rule.

The DVIR NPRM proposes to reduce the burden hours associated with DVIR program area by 46,669,294 hours annually.

Table 3 presents the new estimated annual responses and burden hours for the program.

Table 3: New Annual Burden Hours Estimate, Summary

Items	Responses	Burden Hours
Routine Inspection, Repair, and Maintenance Records	117,974,220	3,932,474
Driver Vehicle Inspection Reports	77,073,629	3,544,738
Disposition of Roadside Inspection Reports	2,282,716	224,467
Periodic Inspection	73,701,200	3,685,060
Records of Inspector Qualifications	215,988	17,999
Evidence of Brake Inspector Qualifications	238,272	19,856
TOTAL	271,486,025	11,424,594

⁷ The current estimate appearing in ROCIS is 690,843 – this was an estimate of the number of respondents, not the number of responses, and had not been updated for several approval cycles. Recently, FMCSA has revised its procedures for estimating the active number of interstate motor carriers because many carriers hold multiple registrations and/or USDOT numbers. The estimate in FMCSA’s March 2013 “Commercial Motor Vehicle Facts” is 504,093 motor carriers of freight, 12,201 motor carriers of passengers, and 15,465 motor carriers of hazardous materials, for a total of 531,759 motor carriers..

New Estimated Total Annual ICR Burden Hours: 11,424,594 [58,093,888 currently OMB-approved hours – 46,669,294 hours reduced due to DVIR NPRM].

New Total Annual Estimated Number of Responses: 271,486,025 [1,406,412,396 – (1,134,926,371 responses for DVIR NPRM.)].

13. Estimate of total annual costs to respondents:

The FMCSA estimates that the total annual cost to the respondents of the information collection, not including costs of associated salaries with the hour burden is approximately \$433,383. These costs are wholly related to the requirement that the driver of any CMV to which a roadside inspection is performed mail the inspection report to his/her employing motor carrier if the driver is not scheduled to return or arrive at the motor carrier's facility or terminal within 24 hours.

Estimated Annual Cost to Respondents: \$433,383.

14. Estimate of cost to the Federal government:

This information collection imposes no cost to the Federal government.

15. Explanation of program changes or adjustments:

The program change decrease of 46,669,294 annual burden hours is due to the elimination of regulatory requirements to complete a driver inspection report if no defects to vehicles are noted during inspection and the driver receives no communication of defects, as set forth in the NPRM on driver inspection, maintenance and repair of CMVs, except certain passenger-carrying CMVs, of August 7, 2013 that will reduce the annual burden hours from 58,093,888 to 11,424,594.

16. Publication of results of data collection:

There are no plans to publish this collection of information for statistical use.

17. Approval for not explaining the expiration date for OMB approval:

The FMCSA is not seeking this approval.

18. Exceptions to certification statement:

The FMCSA does not claim an exception to any element of the certification statement identified in Item 19 of OMB Form 83-1.

Attachments

Attachment A – Notice of Proposed Rulemaking entitled, “*Inspection, Repair, and maintenance; Driver-Vehicle Inspection Report*” (78 FR 48125), [August 7, 2013].

Attachment B – Title 49 U.S.C. § 31502, “*Requirements for qualification, hours of service, safety, and equipment standards.*”

Attachment C – Title 49 U.S.C. § 31136, “*United States Government regulations.*”

Attachment D – Title 49 U.S.C. § 31142, “*Inspection of vehicles.*”

Attachment E – Title 49 U.S.C. § 31137(b), “*Brake and brake systems maintenance regulations.*”

Attachment F – Title 49 CFR part 396, “*Inspection, repair, and maintenance.*”

Attachment G – Title 49 CFR part 393, “*Parts and accessories necessary for safe operations.*”

Attachment H – Title 49 U.S.C. § 31132 [see numbered page 422 of the attachment]

Attachment I – Final rule entitled “*Definition of Commercial Motor Vehicle (CMV); Requirements for Operators of Small Passenger-Carrying CMVs*” (66 FR 2766, January 11, 2001)

Attachment J – Section 4118 of SAFETEA-LU (codified at 49 U.S.C. § 31151).

Attachment K – Section 4136 of SAFETEA-LU (codified at 49 U.S.C. § 31136).

Attachment L – Final rule entitled, “*Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment*” (73 FR 76796), December 17, 2008.

Attachment M – Final rule entitled *Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report for Intermodal Equipment* (77 FR 34846), June 12, 2012,

Attachment N – Title 49 CFR § 390.3

Attachment O – Title 49 CFR § 390.5