

**Justification for Nonmaterial/Nonsubstantive Change for
OMB Control Number 2126-0017 ICR**

Financial Responsibility, Trucking and Freight Forwarding

This Justification for a Nonmaterial/Nonsubstantive Change is to request the Office of Management and Budget's (OMB) approval of nonsubstantive changes to Forms BMC-84 and BMC-85 in the OMB Control Number 2126-0017, "Financial Responsibility, Trucking and Freight Forwarding" information collection request (ICR).

Currently, all brokers, including household goods brokers, must have a surety bond or trust fund in effect and on file with the Federal Motor Carrier Safety Administration (FMCSA) in the amount of \$10,000. All brokers must file evidence of compliance with this requirement using either Form BMC-84 (Surety Bond) or Form BMC-85 (Trust Fund). Last year, FMCSA issued a final rule increasing the minimum financial responsibility requirement applicable to household goods brokers to \$25,000, effective January 1, 2012. (75 FR 72987). Both Form BMC-84 and Form BMC-85 require changes to implement this change.

The information collected on the forms will continue to be used to ensure brokers' compliance with financial responsibility requirements. The changes to the form merely acknowledge the new minimum levels of financial responsibility applicable to household goods brokers. No other changes to the form will be made and no new or additional information will be collected. This nonmaterial/nonsubstantive change to each form is being requested in accordance with Title 49, Code of Federal Regulations, revised Part 387, Minimum Levels of Financial Responsibility for Motor Carriers, at § 387.307(a)(2).

We estimate no change in annual burden hours for the information requested. The current total annual burden of the information collection is 405 hours associated with Form BMC-84 and 637 hours with Form BMC-85. The Agency estimates that the changes to the Forms BMC-84 and BMC-85 would result in no change in the number of respondents to the forms and would have no impact on the currently-approved 10 minutes for the average number of minutes a respondent spends completing either form.