

## The Supporting Statement

**Introduction:** The U.S. Department of Transportation (USDOT) is required, in consultation with state commercial motor carrier safety personnel, to survey the adequacy of truck parking facilities in each State. This survey will be used to evaluate the availability of truck parking facilities used by the interstate trucking industry for rest. The information collection activity is titled “*Jason’s Law Survey and Comparative Assessment*,” and is required under section 1401(c) of the *Moving Ahead for Progress in the 21<sup>st</sup> Century Act* (MAP-21). There are three work elements included in this section of MAP-21:

1. An evaluation of the capability of each state to provide adequate parking and rest facilities for commercial motor vehicles (CMVs) engaged in interstate transportation;
2. An assessment of the volume of CMV traffic in each state;
3. A system of metrics to measure the adequacy of CMV parking facilities in each state.

USDOT is required to post the results of this data collection activity on the Department’s Web site by April 15, 2014. The schedule for completing the survey component of the project is:

<b>Activity</b>	<b>Begin</b>	<b>Completion (Target)</b>
a. Initiate Survey	November, 2013	January, 2014
b. Operate Survey	November, 2013	January, 2014
c. Analyze Results	February, 2014	February, 2014
d. Summarize Findings	March, 2014	March, 2014
e. Results Publicly Available	April, 2014	April, 2014

Failure to initiate the Survey in November, 2013, will adversely affect USDOT’s ability to meet the deadline set in MAP-21.

### Part A. Justification:

#### 1. Circumstances that make collection of information necessary:

Section 1401(c) of MAP-21 requires an assessment of each State’s ability to meet the truck parking needs of the interstate trucking industry, to develop estimates of truck travel by State, and to develop metrics to measure the adequacy of truck parking facilities in each State. The results of this data collection activity are required to be posted on a publicly available web site.. The Secretary of Transportation has assigned completion of the work requirements contained in section 1401(c) to the Federal Highway Administration (FHWA).

FHWA, in consultation with State motor carrier safety personnel, is taking the necessary steps to conduct a survey of truck parking facilities and make an assessment of each State’s ability to meet the parking needs of commercial motor vehicles engaged in interstate transportation. State motor carrier safety personnel and other key stakeholders will also participate in the development of metrics to measure the adequacy of truck parking facilities in each State. The results of this Survey and Comparative Assessment will be posted on a publicly accessible USDOT website.

The language of section 1401(c) is broad and not prescriptive with regard to the conduct of the survey. As such, FHWA required time to deliberate, consult, and coordinate with key national stakeholder groups to devise the content and approach for conducting the survey. FHWA’s intent

is to complete the survey in a manner that yields useful information from the States, trucking industry, and private sector truck parking facility owners and operators. The survey will provide a greater understanding of the location and severity of truck parking shortages that affect the movement of goods in interstate commerce. FHWA has organized a stakeholder technical working group to assist in guiding the overall project, assist in developing the content and design of the survey instrument, and to assist in overseeing the operation of the survey. The working group is made up of representatives from the American Association of State Highway and Transportation Officials (AASHTO), the American Trucking Associations (ATA), the Commercial Vehicle Safety Alliance (CVSA), the Owner-Operator, Independent Drivers Association (OOIDA), and the National Association of Truck Stop Operators (NATSO).

In 1996, FHWA's Office of Motor Carrier completed a study on truck parking availability and associated issues entitled "Making Space for Safety" (see <https://www.fhwa.dot.gov/publications/research/safety/commercial.pdf>). This Study identified the need for and benefit of publicly supplied short-term spaces located within highway the right-of-way and long-term parking spaces supplied by private sector and consequently a severe shortage of parking spaces was identified in this Study. In 2002, the Federal Highway Administration (FHWA) completed the "Study of Adequacy of Commercial Truck Parking Facilities"(see <https://www.fhwa.dot.gov/publications/research/safety/01158/index.cfm>). The study included a survey of short and long haul drivers, a census of State highway agency officials, and was conducted to ascertain the number of publicly provided truck parking spaces. The survey of truck drivers was administered at private truck parking facilities and achieved a greater than 80 percent response rate. A 100 percent response rate was achieved on the census of State highway agency officials. Information developed under this project will be used as a starting point for undertaking the truck parking survey required by MAP-21. In 2003, the Transportation Research Board published Synthesis Report #317 entitled "Dealing with Truck Parking Demands" (see [http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_syn\\_317.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_317.pdf)). This Study found that commercial vehicle travel demand is large and growing and along with it, the demand for parking opportunities is also increasing, that the truck parking shortage was nationwide, that the majority of parking spaces are at truck stops or plazas and that solutions for addressing the shortage problem must be multi-pronged since public and private entities are involved in providing truck parking opportunities,

These three studies were examined and used to frame the approach for undertaking the survey required in MAP-21 and to ensure no duplication of effort or information would result from conducting this survey.

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

This Project is designed to support safe highway based freight movements and to identify areas where investments in truck parking facilities are most needed and appropriate.

The information collected will be used by the U.S. Department of Transportation to report the results of the Survey and Comparative Assessment required under section 1401(c) of MAP-21. It will also be used to provide information on the capability of the States to provide adequate truck parking and rest opportunities for commercial motor vehicles involved in interstate transportation, and to develop metrics that measure the adequacy of truck parking facilities in each State.

## 3. Extent of automated information collection:

FHWA has considered various approaches for conducting the survey. Consultation was conducted with stakeholder technical working group representatives seeking advice on how best to reach out to their members with the survey. Based on the feedback from the working group, a web based survey instrument will be used. Two benefits were identified by working group

representatives in following this approach: the burden of distributing the survey instrument is effectively reduced and the goal of reaching the target number of respondents is increased. Using a web-based approach also reduces the burden of electronic collating and synthesizing of information generated by the survey.

#### 4. Efforts to identify duplication:

With regard to the use of existing truck parking facility inventories from each state, previous studies completed on this topic summarize this information in general ways. In 2012, FHWA submitted a Report to Congress on Truck Parking Shortages, as directed in Conference Report that accompanied the FY 2012 Continuing Appropriations Act (PL 112-55). This 2012 Report used existing data and resources readily available to FHWA due to the short time frame assigned and did not include any outreach to stakeholders or knowledgeable parties outside of FHWA. The most recent, truck park study of comparable scope and scale to the MAP-21 Study was completed by FHWA in 2002; findings from that study must be updated to meet the requirements Congress enacted in MAP-21. The 2002 Adequacy Study included a survey of state transportation agency personnel to determine the inventory of publicly supplied spaces in each state. A second survey conducted in support of the 2002 Adequacy Study collected information from truck drivers on how often they encountered problems finding adequate parking; an intercept method was employed at a limited number of major, commercial truck parking facilities to collect this information from drivers. Truck parking needs were estimated using a "model" that was built to support this project. Under the current MAP-21 project, truck volume information reported by the states to FHWA as part of the Highway Performance Monitoring System (HPMS) will be used to improve the accuracy of truck parking demand. Representatives from the American Trucking Associations (ATA) and Owner-Operator, Independent Driver Association (OOIDA) will assist FHWA in gaining information on the location and severity of truck parking shortages that trucking companies and drivers encounter. The current Study will also produce information useful to the development of the metrics required under this project. Detailed information is required for the development of these metrics that measure the adequacy of truck parking and rest facilities in each state as required in MAP-21 Section 1401(c); this has not previously been undertaken.

AASHTO's Sub Committee on Highway Transport (SCOHT) conducted a short survey in the summer, 2013, on the truck parking situation in each state. The survey was issued to State Transportation Department Executives (AASHTO's Board of Directors) and included eight (8) questions tailored to gathering information on the severity of the truck parking shortage, at a statewide level and within regions of a state, in each state. The survey also inquired as to the extent to which the states had plans to build new truck capacity, either through public funding or through public/private partnerships, to address shortages that were reported. The survey also inquired to the extent that Intelligent Transportation System approaches were being employed to improve driver's awareness of parking opportunities were being advanced as a solution to truck parking space shortage problems. AASHTO has consented to sharing the results from their survey results from this effort will be incorporated into the Study FHWA is undertaking.

Hope Rivenburg, a private citizen advocate for truck parking (widow of Jason that the section of MAP is named for), recently completed a survey of truck drivers on the adequacy of truck parking opportunities. The survey focuses on truck driver demographics (age, years of driving, company size, type of transport engaged in, for example) and placed special emphasis on the degree that truck drivers felt safe when parking at the various types of facility locations. The survey also sought information from drivers on which regions of the US were most challenging in finding truck parking spaces and the amount of time typically required to find a truck parking space when needed. Much of the information in the survey Ms. Rivenburg conducted is very subjective and much of the survey contents were outside of the scope of the project framed in MAP-21 Section 1401(c). Hope has offered to share findings from her survey for inclusion in FHWA's Study.

#### 5. Efforts to minimize the burden on small businesses:

The review may involve contact with and requests for information from small businesses involved in operating private sector truck parking facilities and requests for information from independent truck drivers, who are also small business entities. Coordination and consultation with national organizations representing such businesses is in place and will minimize the impact that the survey and comparative assessment will have. Both NATSO, an organization that includes small business truck parking enterprises, and OOIDA, whose members are a collection of small business enterprises, have actively participated in developing the contents of the survey instrument and in structuring the approach for conducting the survey to maximize participation while minimizing the burden on participants who will be requested to provide information.

#### 6. Impact of less frequent collection of information:

There are no anticipated consequences or program impacts to performing the anticipated data collection activity. Periodic updates to the information generated through conduct of the Survey and Comparative Assessment are required under Section 1401(c) of MAP-21 and will involve the same scale of effort anticipated in the conduct of this survey.

#### 7. Special circumstances:

We plan to request that agencies respond to this survey within 30 days of receipt because the information collected by the survey is needed to fulfill section 1401's requirements and to post the results on a publicly accessible USDOT website.

#### 8. Compliance with 5 CFR 1320.8:

The publication date for the Federal Register notice that solicited public comments for a 60-day period was on June 25, 2013, on 38094-38095 in the Federal Register. Five comments were received during the period that the docket [Number FHWA-2013-0017] was open for comments:

- A message supporting the proposed data collection process was received from Missouri DOT;
- A comment from Texas DOT recommending that the survey include an inquiry into the expenditures made by the states on "upkeep and maintenance of truck parking facilities to include damages caused by truckers". This question has been incorporated into the survey instrument;
- The Virginia DOT submitted comments including an offer to coordinate with them on the Statewide Truck Parking Survey they are embarking on. A preliminary discussion has been conducted with VA DOT to share the steps, goals and objectives of this effort, the status and goals of the VA DOT Study, and the identification of areas where the efforts could be synchronized. VA DOT also pointed out the benefits of aerial mapping tools in identifying truck parking locations. FHWA intends to employ a mapping effort under this project;
- Comments were received from the National Association of Truck Stop Operators (NATSO) laying out several points for FHWA's consideration:
  - o Data collection recommendations on number of spaces, sensitivity to time of day and day of week in determining demand (demand is dynamic temporally), enumerating the number of trucks parked in less than ideal locations (highway shoulders, access and egress ramp shoulders, etc.) are all included in the scope of FHWA's Survey;
  - o NATSO pointed out that FMCSA's new "Hours-of-Service" regulations will affect truck parking demand and it must be considered in the Survey. This consideration is included in the operation of the Survey FHWA intends to conduct;

- o Reminder that developing “Truck VMT by State” will include trucks that don’t have parking needs. FHWA is aware and sensitive to this situation and intends to address this consideration in the project;
- o Reminder that changes in the trucking industry “business model” are underway where the “hub-spoke” model that the industry is transitioning to requires less parking opportunities being required. FHWA will address this factor under the project;
- o Request that the question of “why” is considered when areas that suffer a shortage in truck parking opportunities are identified. FHWA will address this point in the operation of the project;
- The Owner-Operator, Independent Drivers Association (OOIDA) submitted a number of comments for FHWA’s consideration:
  - o The number of drivers that FHWA suggested would be surveyed (150 in the Federal Register Notice) was seen as inadequate. FHWA reached out to OOIDA for information on the appropriate number of drivers to be surveyed, the number of 400 drivers was offered by OOIDA and the outreach to drivers by FHWA will now include 400 drivers;
  - o OOIDA reminded FHWA that the survey of privately owned and operated facilities should not solely include national, multi-state enterprises. OOIDA pointed out that smaller scale facility owners should be included. USDOT intends, working with NATSO, to include small, medium and large scale facility owners and operators in the Survey;
  - o OOIDA expressed interest in participating in the Metrics Workshop that will be conducted under this project. FHWA intends to include OOIDA representatives as invitees to this event.

It should be noted that, the five sets of comments received on the Federal Register Notice have all come from entities included in the stakeholder technical work group that FHWA has organized.

On December 10, 2013, a Federal Register Notice (see FR Vol. 78, Number 237 pages 74218-74220) was published presenting the manner that FHWA addressed the comments received and soliciting comments from the public. No comments were received on this 30-day Notice.

#### 9. Payments or gifts to respondents:

No payments or gifts are proposed to be provided to respondents.

#### 10. Assurance of confidentiality:

Participation in the review by entities other than State agencies is voluntary and the content of responses is not intended to include propriety or confidential information. Respondents would be asked to identify the agency and State providing the response. At the discretion of the respondent, contact information for follow up clarification of information could be provided. The report would disclose only the agency and State or national organization that assisted in receiving the information as identifying information.

In the operation of the survey, state commercial vehicle safety respondents will be informed that their responses will be directly reflected in the findings that FHWA intends to publish on the web site. Respondents from the trucking industry and truck stop facility owners and operators will be informed that survey information will be used to supplement the information provided by state commercial vehicle safety respondents. All respondents will be assured that their responses will be treated as confidential and will not be released, shared or used for any other purpose than the satisfaction of the survey requirements contained in §1401 of MAP-21.

11. Justification for collection of sensitive information:

This collection does not intend to collect sensitive information.

12. Estimate of burden hours for information requested:

As provided below, the cost imposition on respondents to the survey is in units of time coupled with the estimated value of that time required to provide the information that FHWA has been required to develop under MAP-21 §1401(c). The cost to the federal agency listed below represents agency costs in procuring contractor services to assist in the final preparation of survey instruments and tools, in conducting and monitoring the operation of the survey to ensure its success and in the compilation and analysis the survey results in order to develop the information required in MAP-21.

50 State Departments of Transportation Respondents X 1 hour per response = 50 hours total;  
50 State Enforcement Agencies Respondents X 1 hour per response = 50 hours total;  
50 State Trucking Association Respondents X 1 hour per response = 50 hours total;  
229 Private Truck Stop Operators Respondents X 30 minutes per response = 115 hours total;  
and  
400 Truck Drivers Respondents X 30 minutes per response = 200 hours total.

Total respondents = 779

Total burden hours = 465

13. Estimate of total annual costs to respondents:

The collection will occur periodically. The survey will not be conducted annually. Similar solicitations conducted in the future will bear similar costs in time and monetarily as described in Section 12.

Estimated costs:

State Departments of Transportation - \$2,288.50

State Enforcement Agencies - \$2,040.00

State Trucking Associations - \$2,345.50

Private Truck Stop Operators - \$6,870.00

Truck Drivers - \$4,008.00

14. Estimate of cost to the Federal government:

The cost of this element of work required under MAP-21 Section 1401(c) is approximately \$40,000 for costs related to preparation, distribution, and summarizing the results of the review by a consultant and incidental costs. The survey is a task included under a contract that FHWA executed with a contractor to procure support in completing all work aspects provided in MAP-21 section 1401(c). The total value of this contract is approximately \$210,000.

15. Explanation of program changes or adjustments:

This is a new request for information collection.

16. Publication of results of data collection:

The results of the review should be published on a publicly available USDOT web site as directed in Section 1401(c) of MAP-21.

For this information collection, DOT is conducting a 100% census of state commercial vehicle safety program personnel coordinated through the American Association of State Highway and Transportation Officials (AASHTO) Sub Committee on Highway Transport (SCOHT) and the Commercial Vehicle Safety Alliance (CVSA) State commercial vehicle safety personnel in each of the fifty states will be included in the commission of the survey. These results from these surveys will be used by DOT to meet the requirements of section 1401(c) of MAP-21.

In addition, DOT is reaching out to other stakeholder groups; each group having different and separate interests and issues with regard to adequacy of truck parking and rest facilities that serve interstate truck drivers. Additional stakeholder groups that have been identified are: owners and operators of private sector truck parking facilities; interstate truck drivers; and trucking companies that employ interstate truck drivers. Because these stakeholder groups expressed a strong interest in providing additional information to DOT, this collection also includes a process whereby these groups may voluntarily provide information that may be considered to evaluate the capability of the states to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation. However, this additional information is only qualitative and is based on a convenience sample of stakeholders interested in providing this information to DOT.

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

Approval for not displaying the expiration date is not being requested.

18. Exceptions to certification statement:

No exception to the certification statement is being requested.