

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

**SUPPORTING STATEMENT**

**Training Certification for Drivers of Longer Combination Vehicles**

**INTRODUCTION**

This is to request the Office of Management and Budget's (OMB) three-year approved clearance for the revision of the information collection entitled, "Training Certification for Drivers of Longer Combination Vehicles (LCVs)" OMB Control Number 2126-0026, which is currently due to expire on 03/31/2014. This ICR is being revised due to an anticipated increase in the estimated number of LCV drivers submitting training certificates to employers.

**Part A. Justification.**

**1. Circumstances that make the collection of information necessary:**

Section 4007(b) of the Motor Carrier Act of 1991 (Title IV of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Public Law 102-240, 105 Stat. 1914, 2152; 49 U.S.C. § 31307) (Attachment A) requires that Federal minimum training requirements for drivers of LCVs be established by the Secretary of Transportation. The responsibility for implementing the statutory requirement was subsequently delegated to FMCSA (49 CFR 1.87) (Attachment B). The FMCSA, in a final rule entitled, "Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements" (Attachment C) (2004 LCV Final Rule) adopted implementing regulations for minimum training requirements for the operators of LCVs (March 30, 2004; 69 FR 16722). The final rule created an information collection burden concerning the certification of new, current and non-grandfathered LCV drivers; grandfathering those current LCV drivers who are eligible for certification; and certification of LCV driver-instructors. The implementing regulations define an LCV as any combination of a truck-tractor and two or more semi-trailers or trailers, which operate on the National System of Interstate and Defense Highways (according to 23 CFR 658.5) (Attachment D) with a gross vehicle weight greater than 80,000 pounds. The purpose of this rule is to enhance the safety of LCV operations on our nation's highways.

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

Drivers are required to present a training certification form to prospective employers to prove they are certified to drive LCVs. Motor carriers must not allow drivers to operate LCVs without ensuring the drivers have been properly trained in accordance with the requirements under 49 CFR part 380 (Attachment E). The training certification form provides this assurance. Motor carriers must maintain a copy of the LCV training certification form in the driver qualification (DQ) file, required by 49 CFR 380.401(b). During a compliance review, motor carriers responsible for the operation of LCVs must

be able to show Federal or State enforcement officials that drivers responsible for operating such LCVs are certified to do so, based on the training certificate in their drivers' qualification files.

**3. Extent of automated information collection:**

This information collection requires the completion and signing of a training certification form. Motor carriers may maintain the required form electronically or via paper copy. Generally, driver qualification files must be maintained at the motor carriers' principal place of business – the training certificate must be included in the DQ file. This information collection requires zero percent (0%) of the training certification forms to be submitted electronically.

**4. Describe efforts to identify duplication:**

The FMCSA is not aware of any other Federal or State entity that requires motor carriers to collect the same information that is required by the LCV training requirements under 49 CFR part 380.

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

The motor carrier industry consists primarily of small businesses, as defined by the Small Business Administration. Many of the motor carriers are independent, self-employed owner-operators. Small motor carriers would be subject to the same requirements as their large counterparts. While it is unclear how many small businesses operate LCVs, the agency believes the number is not large. Therefore, the overall impact of this information collection burden on small businesses is likely to be minimal. While carriers must verify that a driver has proper training before allowing the driver to operate an LCV, it is up to the driver to obtain the required training.

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

The training certification form is required to be completed only once for each LCV driver; the LCV training certification does not expire.

**7. Special circumstances:**

There are no special circumstances related to this information collection.

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

FMCSA published a notice in the Federal Register with a 60-day public comment period to announce this proposed information collection on December 2, 2013 (78 FR 72145). One comment was received in response to this notice without an email or mailing address. The commenter was concerned that the LCV regulations require drivers to submit their LCV Certificate directly to the Agency. There is no such requirement;

drivers are only required to provide a copy of their LCV Certificate to their employer. The agency addressed the comment in the 30-day comment request Federal Register notice for this ICR.

FMCSA published a notice in the Federal Register with a 30-day comment period that announced that this ICR would be sent to OMB for approval on March 10, 2014 (79 FR 13377).

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

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

**10. Assurance of confidentiality:**

The driver certification information will be protected to the extent allowed by the Privacy Act of 1974.

**11. Justification for collection of sensitive information:**

The information collected is not of a sensitive nature.

**12. Estimate of burden hours for information requested:**

Employment in the trucking industry has been growing for several years and is expected to continue to grow.<sup>1</sup> Most LCV drivers operate in the for-hire sector of the trucking industry. The U.S. Department of Labor forecasts that the for-hire sector of the transportation industry will grow 24.5 percent over the next 10 years.<sup>2</sup> In its 2009 application for OMB approval, FMCSA estimated there were 35,000 LCV drivers in the U.S. The Agency applies the 10-year growth rate as 2.5 percent annually, and estimates that there are currently 37,700 drivers engaged in the operation of LCVs in the U.S. In addition, the Agency estimates that 940 drivers (37,700 x 0.025) will successfully complete LCV training each year of the 3-year period of this PRA request.

Providers of LCV training are required to present a Driver-Training Certificate (DT Certificate) to each driver who successfully completes the training program [§380.401(a)]. This document serves as evidence of the driver's accomplishment; LCV drivers must present their motor carrier with a copy of their DT Certificate before operating an LCV for the carrier, and motor carriers must place a copy of the DT Certificate in the driver's DQ file [49 CFR 401(b)].

Therefore, the information-collection burdens associated with the LCV training requirements are incurred on two occasions. The first occasion is driver's successful completion of LCV training; at that time, § 380.401(a) requires the preparation of the DT

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<sup>1</sup> [http://www.doleta.gov/BRG/Indprof/Transportation\\_profile.cfm](http://www.doleta.gov/BRG/Indprof/Transportation_profile.cfm).

<sup>2</sup> Bureau of Labor Occupational Outlook Handbook, "Employment by Industry, Occupation, and Percent Distribution, 2010 and projected 2020" [53-30302 Heavy and Tractor-Trailer Truck Drivers].

Certificate for the graduate driver. The second occasion is the hiring of an LCV driver by a motor carrier. Two tasks enumerated in § 380.401(b) must be performed on this occasion: the driver must present a copy of the DT Certificate to the motor carrier, and the motor carrier must file the DT Certificate in the DQ file of the driver.

The Agency estimates that 157 burden hours are necessary to prepare the DT Certificate for the 940 drivers it estimates successfully complete LCV training each year. FMCSA estimates that an average of 10 minutes is required to prepare a DT Certificate. Thus, the Agency calculates the information collection burden of this task as 157 hours, calculated as follows:  $940 \times 10 \div 60$ .

The Agency estimates that the total information collection burden related to the hiring of LCV drivers each year is 4,240 burden hours. The hiring of an LCV driver occurs approximately 25,440 times annually. This is FMCSA's estimate of the number of new LCV drivers entering the industry annually (940) and the number of current LCV drivers who go through the hiring process annually (24,500). The Agency generated the 24,500 estimate by applying the 65 per cent rate of turnover for all truck drivers over the past 5 years<sup>3</sup> to the universe of current LCV drivers ( $0.65 \times 37,700$ , rounded). FMCSA estimates that 10 minutes are required for an LCV driver to submit his or her LCV training certificate to a new motor carrier and for the motor carrier to receive and file it. This occurs approximately 25,440 times annually, so the estimated information collection burden for this occasion is 4,240 hours [ $25,440 \times 10 \div 60$ ].

The Agency estimates that there are approximately 60 LCV instructors nationwide. LCV instructors are classified as classroom instructors and skills instructors. An LCV classroom instructor is not required to be a successful graduate of the LCV Driver-Training course, so the regulations impose no burden on these individuals. Skills instructors must successfully complete LCV training, so upon assuming the role of a skills instructor, they presumably must provide their employer a copy of their LCV D-T Certificate. However, the Agency believes that skills instructors are long-standing employees of their motor carriers, having begun their employment with the motor carrier as an LCV driver. Skills instructors gave their DT certificate to the employer when they were hired. The annual burden of the skills instructor presenting the DT certificate to the employer is zero hours.

**Estimated Total Annual Burden Hours:** 4,240 [157 hours for preparation of LCV Driver Training Certificates (940 drivers successfully completing LCV driver training x 10 minutes/60 minutes = 157) + 4,083 hours for tasks related to the hiring of LCV drivers (24,500 LCV drivers obtaining new employment x 10 minutes/60 minutes = 4,083)].

**Estimated Number of Respondents:** 50,880, consisting of 940 newly-certified LCV drivers plus 24,500 currently-certified LCV drivers plus 25,440 motor carriers employing LCV drivers.

**Estimated Number of Responses:** 50,880, consisting of 940 newly-certified LCV drivers plus 24,500 current LCV drivers plus 25,440 motor carriers.

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<sup>3</sup> American Trucking Associations, "Trucking Activity Report," March 2013.

**13. Estimate of total annual costs to respondents:**

In order to become an LCV driver, an individual must successfully complete the LCV Driver-Training Program. In the 2004 LCV Final Rule, the Agency estimated that each driver spends 50 hours in an LCV training program at a cost of \$45.50 per hour, for a total cost of \$2275 to complete the training. The Agency adjusts these figures for inflation since 2004 in order to arrive at the current cost of the training. From 2004 to 2012, the GDP deflator indicates that there has been a 19.1 percent increase in costs. Therefore, the Agency adjusts the cost incurred by each new driver to receive LCV training to \$2710 ( $\$2275 \times 1.191$ ). The total annual cost to the 940 drivers receiving LCV-driver training each year is therefore approximately \$2,547,000.

**14. Estimate of cost to the Federal government:**

There is no cost to the Federal government associated with the information collection burden of the LCV training requirements of 49 CFR part 380. The requirements to collect or store information are all performed by either the driver, motor carrier or LCV trainer.

**15. Explanation of program changes or adjustments:**

The program adjustment increase of 1,498 hours [4,240 hours proposed – 2,742 hours currently approved = 1,498] is due to a 19,380 increase in responses [50,880 proposed responses – 31,500 currently approved responses = 19,380]. In addition, the number of new drivers submitting training certificates to employers increased from 700 to 940.

**16. Publication of results of data collection:**

The agency does not intend to publish the results of the information collection burden required by 49 CFR part 380.

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

The FMCSA does not seek approval for not displaying the expiration date of OMB approval for the information collection burden.

**18. Exceptions to certification statement:**

The agency is claiming no exception to any element of the certification statement identified in Item 19 of OMB Form 83I.