

**SUPPORTING STATEMENT
FOR REQUEST OF OMB APPROVAL
UNDER THE PAPERWORK REDUCTION ACT AND 5 C.F.R. § 1320**

The Surface Transportation Board (STB or Board) requests a three-year extension of approval of the regulations governing disclosure requirements for household movers.

A. Justification:

1. Need for Information in Collection. Under 49 U.S.C. §§ 13501, 13531, and 14706(f)(2), the Board is charged with oversight of certain motor carrier tariffs (the published rates that interstate movers of household goods charge for the services they offer). More specifically, the Interstate Commerce Act requires that such a mover offer what are known as “full-value” rates, which are rates under which the mover will be liable for the full value of any lost or damaged cargo. Full-value has been defined by statute to mean the “replacement value” of the goods (the cost to the consumer to replace the items lost or damaged) (49 C.F.R. § 375.201). Additionally, the Board and its predecessor agency, the Interstate Commerce Commission, have authorized moving companies to offer consumers a lower, “released” rate under which the carrier is released from full liability for lost or damaged cargo and assumes less than the statutory level of cargo liability for an interstate move. Moving companies must inform consumers of their right to choose between full-value liability protection and the reduced liability protection offered with the released rate, and they must obtain a signed waiver if the consumer elects anything other than full-value protection. See Released Rates of Motor Common Carriers of Household Goods, RR 999 (Amendment No. 4) (STB served June 13, 2007).

Previously, however, consumers were sometimes confused and did not realize that they had waived full value protection until after they had experienced damage to or loss of their goods. In Released Rates of Motor Common Carriers of Household Goods, Docket No. RR 999 (Amendment No. 5) (served Jan. 21, 2011 and Jan.10, 2012 and modified on May 15, 2012), the Board issued regulations implementing a Congressional directive to enhance consumer protection in the case of loss or damage that occurs during interstate household-good moves. See Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), § 4215, Pub. L. No. 109-59, 119 Stat. 1144, 1760 (2005). The resulting improved disclosure requirements provide to consumers earlier notice regarding the two liability options (full-value protection and the lower released-rate protection), as well as adequate time and information to decide which option to choose. These requirements are necessary to comply with the Congressional mandate in SAFETEA-LU.

2. Use of Data Collected. Motor common carriers of household goods and freight forwarders (Movers) provide early notice to consumers regarding consumers’ two liability options (full-value protection and the lower released-rate protection), as well as adequate time and information to help consumers decide which option to choose. These disclosure requirements fulfill the statutory duty imposed on the Board in SAFETEA-LU.

3. Reduction through Improved Technology. Respondents may email this notice to the third party recipients.

4. Identification of Duplication. In SAFETEA-LU, Congress tasked the STB with adopting rules to improve the notice that Movers provide to consumers regarding household movers' liability. No other Federal agency requires this notice, even though it is required to be included on a form that the Federal Motor Carrier Safety Administration (FMCSA) requires Movers to give to their household goods customers. See 49 CFR 375.213.

5. Minimizing Burden for Small Businesses. Approximately 4485 small entity Movers were required to revise (one-time) the notice that they are already providing to their customers. Because this notice will appear on documents that movers already provide to customers, the only burden on these movers will be the one-time printing costs involved in replacing their current stock of relevant business documents with new documents that include the required notice. New Movers will have no additional expense because they must create the forms anyway and can simply add the released rate at no additional cost as they already have that information.

6. Consequences if Collection not Conducted or Conducted Less Frequently. Without this disclosure requirement early in the process of consumers' contracting for household-goods moving services, consumers would continue to be ill informed about their choices regarding a mover's liability for household goods.

7. Special Circumstances. No special circumstances apply to this collection.

8. Consultation with Outside Agency. The Board published a notice in the Federal Register, providing a 60-day comment period regarding this collection. See 81 Fed. Reg. 35,810 (June 3, 2016). No comments were submitted. A 30-day notice was published concurrently with this submission to Office of Management and Budget (OMB). See Fed. Reg. (, 2016).

9. Payments or Gifts. The Board does not provide any payment or gifts for this collection.

10. Assurance of Confidentiality. No confidential information is involved in this disclosure requirement.

11. Sensitive Information. This collection contains no information of a sensitive nature.

12. Estimated Burden Hours. The following information pertains to the estimate of burden hours associated with this collection:

(a) Number of respondents. 7,000 (approximate number of Movers involved in authorized for-hire household goods carriage in the United States according to American Moving and Storage Association).

(b) Frequency of response. On occasion.

(c) Annual hour burden per respondent and total for all respondents. None. The change to an existing form to include the Board's released rate notice was a one-time, start-up cost for existing Movers (as they had to replace existing forms). The one-time cost required by the Board was considered in the cost analysis of the Board's previous approval for this collection. Nor do new entrants have any additional costs to include this notice on the form already required by FMCSA. Therefore, there is no longer an hourly burden to respondents.

13. Estimated Total Annual Cost to Respondents. None. Movers may provide these forms to shippers electronically. Further, as with the burden hours above, the one-time, start-up cost that was previously considered no longer apply. Therefore, there is no non-hourly burden to respondents.

14. Annualized Cost to the Federal Government. This collection is a requirement that household movers disclose their rate options to their customers. Because the Board will not collect any information, there will be no cost to the Board.

15. Explanation of Program Changes or Adjustments. This is an existing collection, which is being adjusted to reflect that there are no longer costs associated with this collection.

16. Plans for tabulation and publication. None.

17. Display of expiration date for OMB approval. No form is used for this collection. Once the collection is approved, the Board will display the control number and expiration date of the collection by publishing a special notice in the Federal Register stating the control number and expiration date of the collection as provided in 5 C.F.R. § 1320.3(f)(3).

18. Exceptions to Certification Statement. Not applicable.

B. Collections of Information Employing Statistical Methods:

Not applicable.