

BUREAU OF TRANSPORTATION STATISTICS
OMB CLEARANCE PACKAGE

For
CLEARANCE TO UPDATE THE NATIONAL FERRY
CENSUS QUESTIONNAIRE

National Census of Ferry Operators
(OMB Control Number - 2139-0009)

Prepared by
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Bureau of Transportation Statistics
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Attachment III: Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)

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A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Transportation Equity Act for the 21st Century (TEA-21) (P.L. 105-178), section 1207(c) [see Attachment I], directed the Secretary of Transportation to conduct a study of ferry transportation in the United States and its possessions. In 2000, the Federal Highway Administration (FHWA) Office of Intermodal and Statewide Planning conducted a survey (OMB Approval Number 2125-0584) of approximately 250 ferry operators to identify: (1) existing ferry operations including the location and routes served; (2) source and amount, if any, of funds derived from Federal, State, or local governments supporting ferry construction or operations; (3) potential domestic ferry routes in the United States and its possessions and to develop information on those routes; and (4) potential for use of high speed ferry services and alternative-fueled ferry services. The Safe, Accountable, Flexible Efficient Transportation Equity Act—A Legacy for Users (SAFETEA-LU) Public Law 109-59, Section 1801(e) [see Attachment II] requires that the Secretary, acting through the Bureau of Transportation Statistics (BTS), shall establish and maintain (biennially) a national ferry database containing current information regarding routes, vessels, passengers and vehicles carried, funding sources and such other information as the Secretary considers useful.

Recently enacted FAST Act [Fixing America's Surface Transportation Act (P.L. 114-94, Sec. 1112) - see Attachment IV], continues the BTS mandate to conduct the National Census of Ferry Operators (NCFO) and requires that the FHWA use the NCFO data as input to the specific formula for allocating federal ferry funds (\$80 million for 62016 through 2020). The funding allocations are based on a percentage of the number of passenger boardings, vehicle boardings, and route miles served.

2. Indicate how, by whom, and for what purpose the information is to be used. Indicate the actual use the agency has made of the information received from the current collection.

Although ferries have a long history of moving passengers and freight in America, less is known about this mode of transportation than any of the other modes. Regularly surveyed, routine statistics like the number of ferry operators and the number of passengers carried were undocumented prior to the establishment of the NCFO. Part of this knowledge gap was due to the industry's structure. State and local public transportation agencies operate some ferry systems, but others are privately owned and operated. Another complication is that many operators provide ferry services as well as dinner and sightseeing cruises, whale watching and other types of excursions. As such, it is often difficult to separate these activities.

The original data collection in 2000 was conducted because the existing data sources on ferry operations lacked some of the critical information needed for a national ferry database. To obtain the missing data, the FHWA contracted to survey all known operators. The survey was conducted by the Volpe National Transportation Center, a branch of the United States Department of Transportation (USDOT). Once the information was verified, it was assembled into a National Ferry Database. This database is available on CD-ROM from FHWA and has been widely distributed to interested parties.

Since that time, three more data collection cycles have been conducted by BTS, first in 2006, and again in 2008 (OMB Approval Number 2139-0009). In each instance, revisions to the census instrument were made to improve the nature of the data collected and maximize the usefulness of the NCFO database. The information from all three of these data collection efforts has been made available to the public on the BTS website. The NCFO database has been an important source of information for various industry agencies such as The Department of Homeland Security, The Passenger Vessel Association, and The American Association of State Highways and Transportation Officials. It has also been a key source of information used in the development of Intermodal Passenger Connectivity Database, also produced by BTS.

Finally, the NCFO data is used to inform the Secretary for the allocation of funds. According to (FASTAct) Public Law 114-94, Section 1112 the Secretary shall give priority in allocation of funds under this section of those ferry systems, and public entities responsible for developing ferries, that (1) provide critical access to areas that are not well-served by other modes of surface transportation; (2) carry the greatest number of passengers and vehicles, or (3) carry the greatest number of passengers in passenger-only service. More specifically, the \$80 million in FHWA funding for the support and maintenance of ferry operations will now be allocated based on the following formula: 35% based on the number of passengers carried, 35% by vehicles carried, and the remaining 30% by total route miles serviced for the most recent measurement year.

3. Describe whether, or to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques of other forms of information technology.

The NCFO has typically relied on an initial mailing of a paper questionnaire to update and/or include new information on the database. Much of the data from previous data collections may not change (boat information, route information, connecting information). To reduce burden and increase accuracy, BTS includes pre-filled operator information on individual operator questionnaires, so that respondents may only need to verify outdated information or add any new or missing information that does not appear on their questionnaire. Respondents are contacted by phone after the initial mailing to ensure that they received their questionnaire and to determine if they need any assistance in completing the form. For the 2018 NCFO, a new online version of the questionnaire will be used in addition to a paper questionnaire with telephone and email follow-up to non-responders.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The BTS has conducted a thorough review of existing data sources within the Office of the Assistant Secretary for Research and Technology (OST-R), other agencies within USDOT, the United States Army Corps of Engineers (USACE), and the United States Coast Guard (USCG). The data collection effort covered by this request does not duplicate information currently being collected by any other agency or component within the USACE, or USCG. Data contained in the National Transit Database (NTD) only covers those ferry operators who apply for federal funding through the FTA (24 at last count), whereas the NCFO database contains information from the universe of ferry operators (approximately 250).

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize the burden.

Each questionnaire will contain individual operator information from the previous data collection so that the respondent will only need to check for accuracy and update as needed, rather than re-enter operator information provided previously. Additionally, the use of yes/no and other check box questions are utilized for minimizing respondent burden.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Failure to collect this data in 2018 would inhibit the FHWA's ability to make funding allocations as required by law (FAST Act) as they would be forced to use old and inaccurate data. The FAST Act legislation extends mandates laid out in previous legislation. The Transportation Equity Act for the 21st Century (TEA-21) (P.L. 105-178), section 1207(c), directed the Secretary of Transportation to conduct a study of ferry transportation in the United States and its possessions. Beginning in 2006, the NCFO was required to be updated on a biennial basis (see SAFETEA-LU) Public Law 109-59, Section 1801(e). The MAP-21 legislation extended the requirements from SAFETEA-LU and added the requirement that the NCFO database be consistent with the NTD and that the FHWA use the data to allocate funding for ferry programs. The FAST Act legislation further extended these requirements.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines set forth in CFR 1320.6.

This information collection does not require respondents to: 1) report information more often than quarterly; 2) prepare a response in less than 30 days; 3) submit more than an original and two copies of any document; 4) retain records for more than three years; or 5) submit proprietary or confidential information. The Information Collection Request (ICR) on the census questionnaire will offer assurance to the operator that any business sensitive information provided will not be released to the public. The ICR will read as follows:

The Bureau of Transportation Statistics is conducting a nationwide survey of ferry boat operators for the US Department of Transportation. The information we collect from this survey will only be used for statistical purposes and federal funding administered by the Federal Highway administration. This census is authorized by law (Public Law 114-94, section 1112). Your company's participation in this census is strictly voluntary. By law (5 United States Code 552(b)(4)) [see Attachment V], any confidential business information we may collect will be kept confidential. Under federal law (18 United States Code 1905) [see Attachment VI], employees and contractors working on this census are subject to penalties if they make public ANY information that could reveal confidential business information. At the end of this census questionnaire, we ask that you identify any information that you consider confidential business information. Please note that information which your business releases to the public on a routine basis or is in the public domain, generally, does not qualify as confidential business information. The Paperwork Reduction Act of 1995 states that no persons are required to respond to a collection of information unless it displays a valid Office of Management and Budget (OMB) control number. The OMB control number for this survey is 2139-0009. If you have questions or comments about this survey, please call 1-800-853-1351 or email Ferry@dot.gov.

The final item on the census questionnaire will allow each respondent to indicate which information they deem to be confidential business information, and provide a comment as to why that is the case. Any data that the operator provides and establishes as being business sensitive will not be made public.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and Record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

BTS consulted with the FHWA, the FTA, the Transportation Research Board (TRB) Ferry Committee, and the Passenger Vessel Association (PVA) in revising the original questionnaire. PVA will also publically announce the impending survey to ensure a high response rate.

A 60-Day notice was made on February 3, 2016 to allow for public comments on the changes to the NCFO questionnaire (see Attachment VII). No comments were received.

A 30-Day notice was made on April 19, 2016 to allow for public comments on the changes to the NCFO questionnaire (see Attachment VIII). No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

The National Ferry Operators survey is voluntary. Respondents completing the survey will not receive any payment or gift.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The data collected for the NCFO will be protected under 49 C.F.R. 7.17 [see Attachment IX]. In accordance with this regulation, respondents will be given the opportunity to identify information they deem to be confidential business information and include comments to support their position. Only statistical and non-sensitive business information will be made available through publications and public use data files. Information that has already been made public in other forms (e.g., ferry schedules posted on the operations web site) is not considered to be confidential business information.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Question 13 has historically been deemed to require respondents to provide what some believe is confidential business information. The final question in the questionnaire allows the respondent to indicate which questions, if any, they deem to be confidential business information. Any information the respondent identifies as being confidential business information will be excluded from the public data set. Population totals for these will include imputed data. Copies of the NCFO cover letter and questionnaire have been provided in Attachments X and XI.

12. Provide estimates of the burden hours for the collection of information. The statement should: indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

The burden hour calculation for completing the NCFO questionnaire was based on the time needed to review and update previously provided information, and, for those small number of operators who have not previously participated, the time needed to complete the entire questionnaire. Thus the average burden hours required to participate in the census is estimated to be 30 minutes. Based on the results of the 2014 NCFO and efforts to update the NCFO frame of ferry operations, it is estimated that there are approximately 250 ferry operators currently providing service in the U.S. Thus the total burden hours would be approximately 125 hours (that is 30 minutes per respondent for 250 respondents equals 7500 minutes or 125 hours).

The hourly rate for respondents was computed based on the seasonally adjusted median U.S. income for water transportation workers, divided by the total number of work hours for the year based on a 40 hour work week (i.e., 2,080 hours). The median income estimate (\$77,260) was taken from the May 2015 Occupational Employment Statistics Survey (SOC code 535021) conducted by the Bureau of Labor Statistics: <http://www.bls.gov/data/>. The annual cost to the respondents was then computed by multiplying the hourly rate by the total burden hours. A summary of these estimates can be seen in Table 1 below.

Table 1: Respondent Burden Hours and Respondent Cost Estimates.

Parameter	Estimate
Time to complete census questionnaire	30 minutes
Number of Ferry Operators	250
Respondent Burden Hours	125
Median Income of Captains, Mates, and Pilots of Water Vessels	72,260
Median Hourly Rate	\$26.44
Annual Respondent Costs *	\$3,305

* It is important to remember that the census is conducted biennially, thus these costs would not be incurred every year.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

Participation in the NCFO does not require additional record keeping on the part of the ferry operators beyond what they would do to support normal operations, nor does it require any start up or maintenance costs on their part.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annualized cost to the Federal Government for the survey covered by this submission includes funding for support contracts to implement and complete the data collection, funding for BTS staff to develop the questionnaires, monitor contract operations, analyze results, and develop/publish data products. Costs for support contracts are based on actual rates charged on the 2016 NCFO and corresponding labor rates, as well as a refined scope of work. Government staffing costs are also based on the resources required for the 2018 NCFO and 2018 OST-R/BTS labor rates. Altogether, this submission represents an expected annual funding need of \$500,000 (see Table 2).

Table 2: 2018 NCFO Staffing Costs.

Annually:	National Ferry Database Survey
Contractor	\$250,000
BTS	\$250,000
Estimated Cost:	\$500,000

15. Explain the reasons for any program changes or adjustments to burden estimates.

The proposed information collection shows a slight decrease in burden hours from the previous data collection. The BTS will implement an electronic data collection tool that can be accessed over the internet for the 2018 NCFO. Respondents will be allowed to choose to respond electronically or on paper, this increase in options for response will cause a minor change in burden hours.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

A copy of the final database will be published on the BTS web site, along with a summary report of the findings containing descriptive statistics, tables and graphs. Any information that a ferry operator has justified to be confidential business information will not be included. The data will also be used in BTS compilation reports; such as, the Intermodal Passenger Connectivity Database and the Intermodal Transportation Database. BTS will also use visualization software to create sophisticated graphs with the NCFO data. Lastly, the potential exists that manuscripts will be submitted to appropriate professional journals or may be presented at local, national, or international conferences.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The survey will display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.