

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

**SUPPORTING STATEMENT  
REQUEST EXTENSION FOR REVOCATION OF AUTHORITY GRANTED**

**INTRODUCTION**

This is to request the Office of Management and Budget's (OMB) approval to extend the OMB Control Number 2126-0018, "Request Extension for Revocation of Authority Granted," information collection request (ICR), which is currently due to expire on July 31, 2017. There is an anticipated increase in the estimated number of annual filings from 3,000 to 3,501 and an increase in the corresponding cost of notarizing and mailing Form OCE-46.

**Part A: Justification.**

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

The Federal Motor Carrier Safety Administration (FMCSA) registers for-hire motor carriers of regulated commodities under 49 U.S.C. 13902 (see Attachment A), surface freight forwarders under 49 U.S.C. 13903 (see Attachment B), and property brokers under 49 U.S.C. 13904 (Attachment C). Each registration is effective from the date specified under 49 U.S.C. 13905 (c) (see Attachment D).

Subsection (d) of 49 U.S.C. 13905 also provides that on application of the registrant, the Secretary may amend or revoke a registration, and hence the registrant's operating authority. Form OCE-46 allows these registrants to apply voluntarily for revocation of their operating authority or parts thereof. If the registrant fails to maintain evidence of the required level of insurance coverage on file with FMCSA, its operating authority will be revoked involuntarily. Although the effect of both types of revocation is the same, some registrants prefer to request voluntary revocation. For various business reasons, a registrant may request revocation of some part, but not all, of its operating authority.

This information collection supports the DOT strategic goal of safety by enabling registrants to voluntarily request revocation of operating authority, or some part of that authority.

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

A completed Form OCE-46 is filed with FMCSA by the registrant for the purpose of requesting that all, or a part, of its operating authority be revoked. The information contained on the form is used by FMCSA in making a determination on the revocation request. The use of Form OCE-46 has proven to be an easy and effective means by which a registrant can request revocation of its operating authority.

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

Form OCE-46 is filed by registrants on a voluntary, and for the most part, one-time basis. It calls for a very limited amount of information to identify the registrant and the scope of its request. Thus, the information collection itself has not been automated, although the information collected is ultimately entered into an automated database. .

### **4. Efforts to identify duplication:**

There are no similar filings made with any other Federal agency or within the Department of Transportation that would result in duplication of this information.

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

Paperwork burdens have been minimized for small businesses. Form OCE-46 is completed by filling in blank spaces with limited information identifying the registrant and its operations, and by having the form notarized. When the form is signed in the presence of an FMCSA staff member, notarization is not required. The information collected is the minimum necessary to accomplish the purpose of the filing.

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

There is no requirement for Form OCE-46 to be filed on a periodic basis. Because the form is submitted to FMCSA only on an “as needed” basis, its submission is already conducted only when absolutely necessary.

### **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 (82 FR 14792) with a 60-day public comment period to announce this ICR on March 22, 2017 (see Attachment E). The Agency received no comments in response to this notice.

FMCSA published a notice in the Federal Register (XX FR XXXX) with a 30-day public comment period on Month, day, 2017 that announced this ICR would be sent to OMB for approval (see Attachment F).

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

Respondents are not provided with any payments or gifts for this information collection.

**10. Assurance of confidentiality:**

There is no assurance of confidentiality. The form is submitted on a voluntary basis and merely calls for information identifying the registrant, the scope of its request, and basis of its requested revocation.

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

The information requested and collected is not of a sensitive nature.

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

FMCSA estimates that approximately 3,501 registrants will file the Form OCE-46 annually. This estimate is based on a three-year average of voluntary revocations filed for years 2013 to 2015.<sup>1</sup>

The form is filed on an “as-needed” basis, and there is no continuing information collection function associated with the form. The form asks for very limited information which is readily available to the filer. FMCSA estimates that it would take 15 minutes, or 0.25 hours, to complete the form.

**Estimated Number of Respondents: 3,501 registrants.**

**Estimated Number of Responses: 3,501.**

**Estimated Total Annual Burden: 875 hours [3,501 responses × 0.25 hour = 875].**

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

FMCSA estimates that there are no annual costs to the respondent other than the cost of notarizing the form and mailing the form to FMCSA headquarters.

Notarization fees, if applicable, vary across the U.S. The maximum fees allowed for most single-page, single-signature notarizations range between \$1.00 in some states (such as Illinois and Rhode Island) to \$15.00 in other states (such as California). Some states do not set limits (such as Iowa, Kansas, and Maine).<sup>2</sup> FMCSA conservatively assumes that there will be on average a \$10.00 fee to have the report notarized. The cost for notarizing the forms is estimated at approximately \$35,000 (3,501 × \$10) = \$35,010, rounded to the nearest hundred).

Approximately 3,501 forms filed annually are expected to be mailed to FMCSA. FMCSA conservatively estimates a flat cost of \$0.50 for an envelope and postage. The total cost of envelopes and postage for respondents mailing Form OCE-46 to the FMCSA would be \$1,750

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<sup>1</sup> FMCSA data indicates the number of voluntary revocations filed through Form OCE-46 were 3,630 in 2013, 3,219 in 2014, and 3,653 in 2015.

<sup>2</sup> National Notary Association. Notary Fees By State. Retrieved December 21, 2016, from <https://www.nationalnotary.org/knowledge-center/about-notaries/notary-fees-by-state>.

$(\$0.50 \times 3,501 \text{ forms} = \$1,751, \text{ rounded to the nearest hundred}).$

The estimated annual cost to respondents is \$36,800 ( $\$35,010 + \$1,751 = \$36,761$ , rounded to the nearest hundred).

**Estimated Annual Cost to Respondents: \$36,800 [(3,501 registrants  $\times$  \$10) + (3,501  $\times$  \$0.50) = \$36,761, rounded to the nearest hundred].**

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

Form OCE-46 is processed by a Grade 7 Transportation Assistant. The labor cost of this activity is estimated to be \$27.30 per hour, comprising wages of \$17.89 per hour, employee benefits equal to 36.25 percent of wages, and overhead expenses equal to 12 percent of wages and benefits ( $\$26.51 = \$17.89 \times (1 + 0.3625) \times (1 + 0.12)$ ).<sup>3 4</sup> FMCSA estimates that processing each Form OCE-46 takes approximately 15 minutes, or 0.25 hours.

**Estimated Annual Cost to the Federal Government: \$23,900 [3,501 registrants  $\times$  0.25 hours  $\times$  \$27.30 per hour = \$23,894].**

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

This program adjustment increase is due to an estimated increase in the number of Form OCE-46 filings from 3,000 to 3,501 per year, resulting in an increase of 125 burden hours [875 proposed annual burden hours - 750 currently approved annual burden hours = 125]. In addition, there is an estimated \$6,800 increase in costs to respondents for notarizing and mailing the forms [ $\$36,800$  proposed annual cost to respondents -  $\$30,000$  currently approved annual costs to respondents =  $\$6,800$ ].

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

The information collected is not intended for publication for statistical purposes.

**17. Approval for not displaying the expiration data for OMB approval:** FMCSA does not request such approval.

#### **18. Exceptions to certification statement:**

No exceptions to the certification statement are requested.

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<sup>3</sup>The 2016 GS-7, step 3, pay rate. U.S. Office of Personnel Management, (2016). 2016 General Schedule (Base) Pay Table [PDF]. Retrieved from <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2016/general-schedule> on December 21, 2016.

<sup>4</sup> [http://www.whitehouse.gov/omb/circulars/a076/a76\\_incl\\_tech\\_correction.html](http://www.whitehouse.gov/omb/circulars/a076/a76_incl_tech_correction.html).

**Attachments**

- A. 49 U.S.C. 13902, Registration of motor carrier.
- B. 49 U.S.C. 13903, Registration of freight forwarders.
- C. 49 U.S.C. 13904, Registration of brokers.
- D. 49 U.S.C. 13905, Effective periods of registration.
- E. 60-day Federal Register notice (82 FR 14792), March 22, 2017.
- F. 30-day Federal Register notice (XX FR XXXX), Month, day, 2017.