

The Supporting Statement

Survey and Comparative Assessment of Truck Parking Facilities. (Jason's Law)

Introduction: This is a reinstatement of a previously approved collection (2125-0638). 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 “*Survey and Comparative Assessment of Truck Parking Facilities. (Jason's Law)*,” and is required under section 1401(c) of the *Moving Ahead for Progress in the 21st 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.

This survey was originally conducted in 2014 (See: https://ops.fhwa.dot.gov/freight/infrastructure/truck_parking/jasons_law/truckparkingsurvey/index.htm). PL 112-141 §1401(c)(3) called for periodic updates to the survey. FHWA intends to conduct an updated survey in 2018 and publish an updated Jason’s Law Survey and Comparative Assessment. The update will be published on the USDOT Web site. The schedule for completing the survey component of the project is:

Activity	Begin	Completion (Target)
a. Initiate Survey	June, 2018	July, 2018
b. Operate Survey	July, 2018	September, 2018
c. Analyze Results	September, 2018	December, 2018
d. Summarize Findings	December, 2018	March, 2019
e. Results Publicly Available	June, 2019	

Failure to initiate the Survey in June, 2018, will adversely affect USDOT’s ability to conduct the regular updates required in §1401(c)(3) of PL 112-141 (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. Section 1401(c)(3) of MAP-21 called for periodic updates to the survey. 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 Departments of Transportation (DOTs) and motor carrier safety personnel, is taking the necessary steps to conduct a survey of truck parking facilities and an assessment of each State's ability to meet the parking needs of commercial motor vehicles engaged in interstate transportation. State DOTs, motor carrier safety personnel and other key stakeholders are also participating in the development of metrics to measure the adequacy of truck parking facilities in each State. The results of this Survey and Comparative Assessment updated will be posted on a publicly accessible USDOT website. The previous 2014 Survey and Comparative Assessment can be found at:

https://ops.fhwa.dot.gov/freight/infrastructure/truck_parking/jasons_law/truckparkingsurvey/index.htm. The 2014 survey found:

- Truck parking capacity is a problem in all states, with the greatest problems more evident on major freight corridors and in large metropolitan areas.
- Consistent, continued measurement is important to provide data to understand dynamic truck parking needs and whether the situation is improving.
- Truck parking analysis is an important component of state and MPO freight plans, as well as regional and corridor-based freight planning.
- There is a need to understand the supply chains of key industries and commodities to from and through their state to better anticipate and plan for the parking needs.
- Local regulations and zoning often create challenges for development truck parking facilities due to local resistance to externalities of truck stops.
- Public and private sector coordination is critical to address long-term truck parking needs.

The language of section 1401(c) is broad and not prescriptive with regard to the conduct of the survey. FHWA's intent is to complete the survey in a manner that addresses issues raised with the previous 2014 survey and 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).

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 update the results of the Survey and Comparative Assessment required under section 1401(c) of MAP-21. FHWA intends to conduct an updated survey in 2018 and publish an updated Jason's Law Survey and Comparative Assessment, per the requirements of PL 112-141 §1401(c)(3). In addition to the statutory requirements for periodic updates, this project will update the progress of work completed since the previous Jason's Law Survey to:

- Update the inventory truck parking and identify improvements to truck parking availability since the previous survey.
- Evaluate truck travel by state for the purposes of evaluating increases in truck parking demand.
- Evaluate the types of technology being used to monitor availability and demand that have resulted from recent advances in truck parking information systems and applications.
- Compile truck parking plans, studies, and projects completed by states and MPOs, particularly as it relates to new freight planning requirements of the FAST Act.

The data will 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. It will be used to manage USDOT programs that provide funding and technical support to develop truck parking. It will be used by states to plan for truck parking as part of state freight plans.

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 original 2014 survey. Since release of the 2014 survey we have had extensive stakeholder involvement. Based on the lessons learned from the original survey and feedback from stakeholders, a similar web based survey instrument will be used. Two benefits were identified 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:

FHWA intends to conduct the updated survey, per the requirements of PL 112-141 §1401(c)(3). The four-year cycle corresponds to the transportation planning and programming process used by States and MPOs in developing their State Transportation Improvement Program (STIP). This survey will use the data collected and inventories of truck parking facilities from 2014 as a starting point and update the data. Having the previous inventory and process in place will minimize the burden on States by allowing them to update the previous data.

As with the previous survey, 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.

AASHTO's Sub Committee on Highway Transport (SCOHT) conducted a short survey in the summer, 2013, on the truck parking situation in each state. AASHTO shared the survey results from this effort when FHWA undertook the previous survey. They have since relied on the results of the Jason's Law as a source for truck parking data. AASHTO was one of the partners in the original survey and will assist FHWA with conducting the updated survey.

Hope Rivenburg, a private citizen advocate for truck parking (widow of Jason Rivenburg that the section of MAP is named for), recently completed a survey of truck drivers on the adequacy of truck parking opportunities. Hope shared the findings from her survey for inclusion in FHWA's 2014 Survey.

This is a multimodal effort of the USDOT with the FHWA, Federal Motor Carrier Safety Administration (FMCSA) and Maritime Administration (MARAD) jointly working on a coordinated set of truck parking initiatives. The Jason's Law Truck Parking Survey and Comparative Assessment is being done in close coordination with the FMCSA SmartPark Deployment Strategic Plan for Truck Parking ITS and the MARAD Port ITS Truck Staging Program. These agencies have been meeting on a regular basis to discuss truck parking and have identified data to be shared. This close coordination ensures the efforts of the various are shared and potential redundancies in work are avoided.

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. As with the previous survey, work will be done in coordination with national organizations representing such businesses is in place to minimize the impact that the survey 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. The trucking industry has identified the need for additional safe truck parking as a top priority and trucking companies and independent owner-operator drivers have been very active in this program. Improvements to truck parking availability will support the trucking industry, and many of these trucking companies are small businesses.

6. Impact of less frequent collection of information:

Section 1401(c) (3) of MAP-21 requires periodic updates to the survey. This update will involve the same scale of effort anticipated in the conduct of this survey. The proposed four-year cycle corresponds to the transportation planning and programming process used by States and MPOs in developing their State Transportation Improvement Program (STIP). States also have a five-year cycle for updating their State Freight Plans and the timing of this survey will help inform the next round of State Freight Plans.

Truck parking shortages are a national safety concern. The trucking industry has also identified the need for additional safe truck parking as a top priority. The Jason's Law Survey is part of a larger effort to advance a comprehensive set of programs, efforts and research to improve truck parking and provide States and MPOs with resources to identify parking needs and to encourage improvements and investments.

7. Special circumstances:

We plan to request that agencies respond to this survey within 90 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 December 6, 2017, in the Federal Register (see FR Vol. 82, Number 233 pages 57645-57646). Ten (10) comments were received during the period that the docket [Number FHWA-2017-0050] was open for comments:

- All comments generally supported FHWA's efforts to conduct the truck parking survey and assessment.
- Some noted that it is essential that these surveys take place periodically to appropriately assess the need of truck parking shortage.
- One State DOT noted that FHWA's support and involvement is critical to identifying solutions that reduce the parking shortage.
- Recommendations were provided on the types of questions that should be asked in the survey regarding the fees paid for truck parking at truck stops, including motorcoach parking in the survey, inventorying parking facilities within cities or urban centers, collecting data on crashes as a result of trucks parking along the roadway or driver fatigue due to lack of parking, and including MPOs in the survey. Many of these factors are included in the existing survey or will be analyzed through data currently available through other sources.
- There were also a number of recommended actions that FHWA should be taking to address truck parking needs. While these are not recommendation for changing the survey, these suggestions will be taken into consideration in the recommendations for the final report.

On April 23, 2018, a Federal Register Notice (see FR Vol. 83, Number 78 pages 17700-17701) was published presenting the manner that FHWA addressed the comments received and soliciting comments from the public. Seventeen (17) comments were received during the period that the docket [Number FHWA-2018-0027] was open for comments. All of the comments were either in support of the survey or emphasized the need to develop more truck parking. A number of the respondents commented on specific locations where there is a significant shortage in truck parking.

9. Payments or gifts to respondents:

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

10. Assurance of confidentiality:

FHWA is not providing 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 proprietary 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 DOTs and 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 states. 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.

Respondents	Time per response	Total hours
50 State Departments of Transportation (AASHTO)	4 hours	200 hours
50 State Enforcement Agencies (CVSA)	1 hour	50 hours
129 Private Truck Stop Operators (NATSO)	1 hour	129 hours
100 Port Operators (AAPA)	1 hour	100 hours
300 Truck Drivers and Industry Professionals (ATA and OOIDA)	30 minutes	150 hours
Total respondents:		629
Total burden hours:		629
This total is divided by 3 to get the annual amount for ROCIS.		210 hours & Respondents

13. Estimate of total annual costs to respondents:

The collection will occur periodically-approximately once every four years. 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 (AASHTO)	\$9,200.00
State Enforcement Agencies (CVSA)	\$2,050.00
Private Truck Stop Operators (NATSO)	\$5,160.00
Port Operators (AAPA)	\$3,000.00
Truck Drivers and Industry Professionals (ATA and OOIDA)	\$4,000.00
TOTAL	\$23,410.00
This total is divided by 3 to get the annual amount for ROCIS.	\$7803.33

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 \$246,639.

15. Explanation of program changes or adjustments:

This is a request to conduct an updated survey. The survey is generally the same, with adjustments made from experience with the 2014 survey to make the process more efficient. Questions were added on whether truck parking facilities include a Truck Parking Information

System (a relatively new technology that states have been implementing since the last survey) and whether the state developed a truck parking plan. An additional survey was added for ports, which are major origins and destinations for freight and requiring parking for staging.

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 DOT and motor carrier safety officials. I 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, USDOT is reaching out to other stakeholder groups; each group having different and separate interests and issues regarding 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; trucking companies that employ interstate truck drivers; and ports, which are major origins and destinations for trucks moving freight. Because these stakeholder groups expressed a strong interest in providing additional information to USDOT, 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.