

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

**Supporting Statement A  
Pilot Program to Allow 18- to 21-Year-Old Persons with Military  
Driving Experience to Operate Commercial Motor Vehicles (CMVs) in  
Interstate Commerce**

**INTRODUCTION**

This Supporting Statement has been developed to request the Office of Management and Budget's (OMB) review and approval of a new information collection request (ICR) to implement the *Commercial Driver Pilot Program*, required by Section 5404 of the Fixing America's Surface Transportation Act, 2015 (FAST Act). The Federal Motor Carrier Safety Administration (FMCSA) proposed to conduct this pilot and solicited public comment on August 22, 2016 (81 FR 56745). Additional details on the broader pilot program will be available through a separate *Federal Register* notice.

**Part A. Justification**

**1. CIRCUMSTANCES THAT MAKE COLLECTION OF  
INFORMATION NECESSARY**

Section 5404 of the FAST Act requires the Secretary of Transportation to conduct a commercial driver pilot program to "...study the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce." A "covered driver" is defined as a member, or former member, of the armed forces or reserve components between the ages of 18 and 21 who is qualified in a Military Occupational Specialty (MOS) to operate a commercial motor vehicle (CMV) or similar vehicle. Section 5404 limits the scope of the pilot program so that covered drivers are prohibited from operating vehicles containing hazardous materials or passengers and those in special configurations.

Section 5404 also requires the establishment of a data collection program to collect and analyze data regarding crashes involving covered drivers participating in the pilot program and crashes involving property-carrying, commercially licensed drivers under the age of 21 operating CMVs in intrastate commerce.

Current regulations on driver qualifications (49 CFR part 391.11(b)(1)) state that a driver must be 21 years of age or older to operate a CMV in interstate commerce. Currently, drivers under the age of 21 may only operate CMVs in intrastate commerce based on individual State laws and regulations.

In a 2015 report, the American Trucking Associations (ATA) estimated that in 2014 there was a shortage of 38,000 drivers in the CMV industry. Furthermore, this report estimated that the

driver shortage could be as high as 175,000 drivers by 2024 due to an aging population of drivers and increased economic growth (Costello and Suarez 2015). Allowing younger drivers with highly specialized training to enter the workforce at a younger age may help to combat the driver shortage by recruiting interested young adults before they find another career. Additionally, it would provide job opportunities for veterans under the age of 21, although this population is expected to be small in size.

The primary purpose of the ICR is to support the pilot program and conduct research and analysis to determine whether younger drivers with military experience operating heavy vehicles have safety records similar to older entry-level drivers (i.e., 21–24 years old) and how specialized military training and experience impact the safety of this 18- to 20-year-old driving population.

The plan for the data collection task is to encourage motor carriers to apply for participation in the pilot program. Once approved, motor carriers will then identify and/or hire covered drivers (drivers who are 18, 19 or 20 years old, with relevant military experience), intrastate drivers (drivers who are 18, 19 or 20 who currently hold a commercial driver's license [CDL] to operate a property-carrying commercial vehicle in intrastate commerce), and/or control group drivers (commercially licensed, property-carrying drivers that are between 21 and 24 years of age). All participating drivers will be required to fill out an information form (to include name, CDL number, gender, and age) and sign an institutional review board (IRB) approved informed consent form, which will inform them of how their data may be used or released.

Sample data collection forms (hard copy or electronic) will be provided to participating motor carriers to collect driver information and information on demographic factors (e.g., age and gender), military or commercial vehicle training, driver activity (e.g., number of inspections), and safety outcomes on a monthly basis. Some carriers may already have this information in electronic format; if so, they may wish to submit it directly to the research team to minimize processing time. Therefore, the method of collection may vary slightly from carrier to carrier, and the ICR documentation focuses on the data elements being collected as opposed to the specific method of data collection. In addition, the participating motor carriers will be required to provide detailed trip data for each driver, including vehicle miles traveled and duty status. If drivers have onboard monitoring system (OBMS) equipment or have the ability to obtain safety data from the engine control module (ECM) installed on their vehicle, the research team will require that the carrier provides these logs or a summary of safety events on a monthly basis as well. Because of relatively high turnover in the motor carrier industry and given that some covered drivers will turn 21 through the course of the pilot program (and therefore no longer be considered a covered driver), the participating motor carriers will need to work with the project team to add additional drivers to the pilot program over time or FMCSA may need to add motor carriers to the program.

Data being collected for this program includes: (1) applications from motor carriers interested in participating in the pilot, (2) driver information and consent forms (for covered, intrastate, and control group drivers), and (3) monthly data submission from participating motor carriers, which will include a summary of participating drivers' activity and safety outcomes for that reporting period. Additionally, participating motor carriers will be required to provide data on safety critical events (SCEs), such as hard braking or sudden lane changes, when available. For

purposes of this ICR, safety data refers to crashes, driver moving violations, violations from inspections, and instances of SCEs.

FMCSA will monitor the monthly data being reported by the motor carriers and will identify drivers or carriers that may pose a risk to public safety. While removing unsafe drivers or carriers may provide a bias to the analysis, it is a necessary feature for FMCSA to comply with 49 CFR 381.505, which requires development of a monitoring plan to ensure adequate safeguards to protect the health and safety of pilot program participants and the general public. Knowing that a driver or carrier was removed from the pilot program for safety reasons will help FMCSA minimize bias in the final data analysis.

The statutory authority to conduct this pilot program is derived from Section 5404 of the FAST Act (Pub. L. 114-94, Dec. 4, 2015, 49 USC 31315 note). FMCSA's regulatory authority for initiation of a pilot program is 49 CFR 381.400.

## **2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED**

### **2.1 HOW INFORMATION WILL BE COLLECTED**

Data will be collected from CMV drivers and motor carriers over three phases: (1) motor carriers apply to participate in the pilot program; (2) individual drivers complete the information form and sign informed consent forms to participate in the pilot program (control, intrastate, and covered drivers); and (3) FMCSA collects driver activity and safety data from the motor carriers on a monthly basis throughout the pilot program.

The data to be collected during each phase is outlined in detail in the following sections. The demographic factors on drivers are primarily limited to age and gender, which scientific studies have indicated are among the factors likely to impact driver safety (Massie, D. et al, 1995; Knipling, R. et al., 2004). Additional demographic factors, such as race or medical conditions and health, are not likely to be useful for this specific analysis. Therefore, FMCSA is not asking for additional demographic factors aside from what is on the driver information form.

#### **2.1.1 Motor Carrier Application**

In the application, motor carriers will be asked to provide company contact information, which includes the motor carrier name, U.S. Department of Transportation (USDOT) number, place of business address, and phone number. Additionally, motor carriers will be asked to provide the name and email address of a representative who will serve as the primary point of contact for the pilot program. This information will also be used to examine the safety records of the motor carrier applicants.

Motor carriers will then be asked to provide information on the scope and scale of their operations. This includes whether they are an interstate and/or intrastate carrier, their fleet size, the number of drivers they employ, how many military drivers could be hired, how many intrastate drivers could be provided if they currently conduct intrastate operations, and how many

drivers could be provided for the control group. While the ideal pilot program would contain a variety of carrier sizes and operation types, there may be limitations on the carriers that are able to participate due to insurance costs for hiring young drivers or other business decisions. FMCSA will be conducting outreach with various carrier types and sizes; however, this is ultimately a voluntary pilot program.

Carriers will also be asked to identify any safety technologies being used by their drivers, including OBMS equipment or ECM recording equipment. This will allow the research team to (1) know whether a carrier has OBMS logs to provide, and (2) identify what data are available from these logs. The research team will require participating drivers to provide OBMS or ECM recorded safety events on participating drivers when available. Preference will be given to carriers that can provide OBMS or ECM recorded data throughout a driver's participation in the study. FMCSA is interested in the safety events recorded by these types of systems, such as hard braking, lane deviations, and speeding. Carriers do not need a camera-based system for participation in this study.

FMCSA will evaluate the motor carrier applications and approve participation based on acceptable safety criteria. The criteria standards will be explained in a separate *Federal Register* notice that will address the comments to the Agency's original August 22, 2016 *Federal Register* notice.

Once motor carriers are approved, the research team will work with those carriers to identify drivers who will be participating in the pilot program and ensure the necessary information and consent forms are received prior to beginning monthly data collection. To minimize burden on carriers, the research team will work with each carrier individually to identify how the carrier would prefer to submit the monthly data on trip information, crashes, and investigations. This may vary depending on what records the carrier already collects and the size of the carrier. All carriers will submit data electronically via a secure file-transfer site hosted by the contractor.

### **2.1.2 Driver Information Form**

To collect variables that may be necessary for the data analysis, the pilot program will require drivers to submit an information form. The driver information form will collect the following information:

- Driver's name;
- Driver's CDL number;
- Driver's CDL State of issuance;
- Driver's date of birth (to calculate age);
- Driver's gender;
- Driver's military background (if applicable);
- Driver's qualifications (e.g., manual or automatic transmission); and

- Driver's experience (years working as a CMV driver).

Covered drivers will be required to provide information on their service dates, military branch, MOS, and either their current military unit or the type of discharge listed on their Form DD-214. This information will also be asked of control and intrastate drivers, when applicable.

As part of every application, drivers must also sign an informed consent form, approved by an IRB, in order to participate in the pilot program. Personally identifiable information (PII) will be kept confidential and will not be included in the final analysis, final report, or any published document.

### **2.1.3 Driver Activity and Safety Data**

As part of the pilot program, motor carriers will be asked to submit information on control, intrastate, and covered drivers' activity and safety on a monthly basis. These data will summarize, for each driver, the miles traveled and the numbers of all crashes, Department of Transportation (DOT)-reportable crashes, moving violations, motorist incident reports, total number of inspections, inspection violations (e.g., hours-of-service violations, unsecured load violations), and, when possible, near-crashes and SCEs that occurred during the reporting period. Additionally, detailed information on trip lengths, time of day driving, vehicle miles traveled per trip, and hours on duty/duty status will be needed for each trip taken during the reporting period. This detailed information will allow the research team to accurately measure driver exposure, which is necessary for the statistical analysis.

In the event of a crash, motor carriers will be asked to include in their submittal the findings of their post-crash investigations and post-crash drug and alcohol tests, as required by the Federal Motor Carrier Safety Regulations, and the Police Accident Report. The carrier will submit these documents in addition to the monthly data collection form, when applicable.

Although OBMSs or ECM recording equipment are not required for participation in the pilot program, preference will be given to carriers who have them already installed in their vehicles and are willing to share the information with FMCSA. In the event that the motor carrier uses OBMS or ECM recording systems, FMCSA will collect this additional information on SCEs. These are instances such as hard braking, rollover stability activation, and speed relative to the posted speed limit. The addition of this data may allow for a stronger analysis of driver safety.

## **2.2 WHO WILL COLLECT THE INFORMATION**

A qualified research team contracted by FMCSA will collect the motor carrier applications, driver information and informed consent forms, and monthly data submissions throughout the 3-year pilot program. The contractor will host and maintain a secure file-transfer site to receive data, as well as all any necessary databases to store files containing received data, analyses, and other items pertaining to the pilot program. Access to this data will be given to the authorized research team members and FMCSA research team members. The research team will work with a designated point of contact at each participating motor carrier to ensure all data are delivered in a timely manner throughout the study period. Phase I and Phase II of this study has been contracted to MaineWay Services, which has subcontracted to Cambridge Systematics. During

Phase I, the plan for data collection and analytical design was drafted and finalized. Phase II consists of contractor support in receiving OMB and IRB approval, such as updating draft documentation, finalizing data collection forms, answering requests for information, and other related tasks and activities. Phase III will consist of actually conducting the pilot program, performing analyses, and writing a final report.

## **2.3 PURPOSE OF THE INFORMATION COLLECTION EFFORT**

The purpose of the data collection and the overall pilot program is to determine the potential impact of age, specialized military training, and experience on driver safety. In particular, it will provide insight into whether or not specialized military training can compensate for age-related influences on safety. The information collected will be used to compare the safety outcomes between covered drivers, intrastate drivers, and control drivers.

As mandated by the FAST Act, the information collected during this pilot program and the results of the pilot program will be shared with a Federal Advisory Committee Act (FACA) working group. FMCSA is tasking the Motor Carrier Safety Advisory Committee (MCSAC) with the formation and oversight of this group. The working group must consist of representatives from the armed forces, motor carriers, CMV operators, safety advocacy organizations, and State licensing and enforcement officials. The working group will make recommendations to the Secretary of Transportation regarding the feasibility, benefits, and safety impacts of allowing a covered driver to operate in interstate commerce.

In addition, the data collected may influence recommendations on what training and other requirements should be considered prior to any possible regulatory changes to driver qualifications, such as entry-level driver training or minimum age. This could have important implications for the motor carrier industry, as a driver shortage is often cited as a limiting factor in the ability of the motor carrier industry to meet demand.

## **3. EXTENT OF AUTOMATED INFORMATION COLLECTION**

Carrier applications, driver information and informed consent forms, and monthly driver activity and safety data (including investigative findings from crashes when applicable) will be collected using a secure online file-transfer site. The carrier application, driver information form, and driver consent form will be a one-time submission. The monthly activity and safety data items are unique and will require the carrier to provide inputs to the files every time they are submitted; however, the research team will provide standardized forms for applications, driver information, and informed consent to minimize burden and allow carriers to fill them out in a straight-forward manner. The research team will receive electronic driver activity and safety data on a monthly basis and will work with each carrier to determine the best format to receive this data.

## **4. EFFORTS TO IDENTIFY DUPLICATION**

FMCSA conducted a review of previously conducted studies, related studies and surveys, and reports of Federal and non-Federal sources to minimize duplication of efforts, identify best practices of completed projects, identify statistical information that can be reused for the current pilot program, and minimize cost to the Government and taxpayers. None of the reviewed studies collected data on the safety performance of covered drivers as part of a pilot program, as is mandated by the FAST Act. Previous studies did not specifically examine younger military drivers of commercial vehicles and in some cases did not have data on the actual miles traveled by covered drivers, an important measure of risk exposure.

## **5. EFFORTS TO MINIMIZE BURDEN ON SMALL BUSINESSES**

Participation in the pilot program by carriers is voluntary. Thus, only those carriers (large or small) that can safely employ covered drivers in their operations will apply. The data collection plan is designed to minimize the level of data processing on behalf of carriers, which is a benefit to smaller carriers that do not have staff resources to support these tasks. By making OBMS or ECM recorded data optional for participation, more small carriers may be interested in participating, as OBMS and ECM recording device costs may be significant for small carriers. FMCSA has not built in any constraints that would limit participation by small businesses or deter small businesses from applying for the program. The burden for both large and small carriers has been minimized to the greatest extent possible by requiring data that carriers already collect to be used for data analysis.

## **6. IMPACT OF LESS FREQUENT COLLECTION OF INFORMATION**

Although this is a one-time pilot program, data on participating drivers will be collected (via monthly carrier data submissions) over the course of 3 years. Driver and carrier applications are a one-time collection which will occur on an ad-hoc basis, as motor carriers apply for the pilot program. Not collecting the requested data would result in the failure of FMCSA to fulfill the congressional mandate to conduct this pilot program, as specified in Section 5404 of the FAST Act.

Less frequent data collection throughout the pilot program would increase the opportunity for errors in data collection and hinder the ability of FMCSA to monitor and manage the operations of the participating motor carriers and drivers. FMCSA must specifically monitor the covered driver group over the course of the pilot program to determine if their safety performance is significantly inferior to the control group and if they pose a risk to public safety. If that occurs with specific drivers, FMCSA will work quickly to remove them from the pilot program. Additionally, FMCSA will monitor carriers to determine if they are not submitting data or have a higher safety risk than other participating carriers. If that occurs with specific carriers, FMCSA will act quickly to remove them from the pilot program.

## 7. SPECIAL CIRCUMSTANCES

There are no special circumstances related to this information collection.

## 8. COMPLIANCE WITH 5 CFR 1320.8

To achieve compliance with 5 CFR 1320.8, a 30-day notice and a 60-day notice have been published in the *Federal Register* prior to data collection.

A Federal Register notice (83 FR 31631) was published on July 6, 2018, which requested comments on this proposed information collection request. The comment period was open for 60-days and closed on September 4, 2018. The notice received 37 comments, which are summarized here.

Of the comments received, 17 were in support for the pilot program with an additional 3 comments in support of the pilot program given certain criteria were met. There were 14 commenters who opposed the pilot program, and 3 additional comments were neutral in their stance toward the pilot program.

Commenters Supportive or Conditionally Supportive of the Pilot Program: There were 17 commenters who acknowledged their support of the pilot program, and an additional three commenters who acknowledged support of the pilot program given certain circumstances. Several of these comments felt this would be a good opportunity for young military personnel to form a career based on their military training. Several comments offered suggestions or considerations, which are detailed below.

1. Consider the size and weight of the vehicle for which the military candidates are licensed to drive to avoid accepting candidates who were trained on or have experience with light military vehicles only. In other words, specify a type of vehicle requirement for military participants to be trained in and have experience on.

FMCSA Response: A review of the vehicles used in each MOS was conducted and it is expected that the military driver will receive a CDL for a class of vehicles that is comparable with the knowledge and experience. The identified MOSs include 88M or 92F for the US Army, EO for the US Navy, 3531 for the US Marine Corps, and 2T1, 2F0, or 3E2 for the US Airforce.

2. Consider having drivers pass an approved driver training program before participating in the pilot program.

FMCSA Response: A comparison of the MOS training requirements against the Entry Level Driver Training curriculum requirements was completed and determined that military training programs often exceed the number of classroom and behind-the-wheel training hours that many/most entry level drivers receive. The drivers in the covered group will need to have passed their military training in order to participate in the study.

3. Consider excluding drivers from the control sample for the same reason(s) military personnel would be disqualified from participating (e.g., disqualifications, suspensions, or



revocations in the past three years) and extend the requirement that covered drivers may not transport passengers or hazardous materials, or operate doubles or triples to the control group drivers as well.

FMCSA Response: FMCSA does not feel control group drivers or current intrastate drivers should have disqualification standards other than the current FMCSA disqualification regulations found in CFR 49 383.51, as they are otherwise eligible to drive currently. These drivers will not be receiving any exemptions from the current rules and regulations, so as long as they remain in compliance with FMCSA regulations they are eligible to operate a CMV and therefore should be eligible to participate in the pilot program.

4. Clarify what is meant by “or be subject to any OOS order” regarding control driver requirements.

FMCSA Response: FMCSA will remove control drivers from the pilot program if they are subject to any out of service orders issued by the Agency.

5. Specify that control drivers may not be former covered drivers who have aged out of the covered driver group.

FMCSA Response: This is the intended study design, although continuing data on these drivers will be collected as possible to determine trends with individual drivers.

6. Consider balancing the number of covered and control drivers from each carrier to minimize the effects of carrier differences in analysis.

FMCSA Response: This was considered in the original study design; however, it was determined that this could be overly burdensome on small carriers and may deter them from participating; therefore, this is not a requirement for participation in the study.

7. Consider increasing the size of the study groups and not setting a maximum number on carriers who can participate.

FMCSA Response: The size of the groups has been estimated as a minimum required sample size to determine statistically valid results. FMCSA does not have a limit to the number of drivers or carriers that may participate.

8. Consider widening the age range of the control study group to increase small carrier participation.

FMCSA Response: The control study group age was originally proposed to be from 21 to 26 years old in the Federal Register Notice titled “Commercial Driver’s Licenses; Proposed Pilot Program to Allow Persons Between the Ages of 18 and 21 with Military Driving Experience to Operate Commercial Motor Vehicles in Interstate Commerce,” published on August 22, 2016 (81 FRN 56745).. Based on comments received on this Federal Register Notice, FMCSA modified the control group age range to a smaller, younger control group that would be a better comparison to other new, young drivers.

9. Ensure data is evaluated by an independent third party before being analyzed by the working group.

FMCSA Response: The data and analysis performed for this study will be evaluated by at least three independent peer reviewers who have appropriate credentials prior to the working group reviewing the findings.

10. Exercise caution when using CSA scores to determine motor carrier eligibility.

FMCSA Response: FMCSA will use CSA scores in a fair manner to determine carrier eligibility; however, FMCSA feels that evaluating CSA scores prior to carrier acceptance is necessary to ensure safety to both pilot program participants and the general motoring public.

11. Consider collecting additional data, to include: types of advanced vehicle safety technologies in use, types of vehicles being used by participating drivers, type of freight hauled, type of operating environment, as well as specific details about the type and duration of training the driver has received, to include both pre-CDL and post-CDL training.

FMCSA Response: FMCSA agrees that this information should be requested, and has updated data collection forms to reflect these items. However, FMCSA will not preclude a carrier from participation for not providing these details.

13. Consider a formal review process for motor carriers who temporarily fall out of compliance with the pilot program requirements and want to re-enter the program.

FMCSA Response: Carriers who fall out of compliance with the pilot program requirements will be dealt with on an individual basis depending on several factors, including evaluating the severity of their lapse of compliance.

14. Allow for carriers to report driver infractions (failure of a drug test, crashes, violations, etc.) in one business day as opposed to one 24-hour period.

FMCSA Response: FMCSA does not agree that one business day is the correct time frame for reporting these infractions; however, FMCSA has clarified that they should be reported within one day of the carrier being informed of any of these infractions.

Commenters Opposed to the Pilot Program: Of the 14 commenters who were against the pilot program, thirteen comments were submitted by individuals, while one comment was submitted by the Advocates for Highway and Auto Safety (Advocates). Several commenters mentioned general knowledge that younger drivers tend to be less safe than older drivers. One commenter mentioned concern over the potential for younger drivers to be treated harshly by the industry, and several mentioned a lack of experience that would be concerning. Advocates additionally recommended requiring both the use of an Electronic Logging Device (ELD) and the use of an On-Board Monitoring System (OBMS).

FMCSA Response: For the individual drivers who expressed concern due to immaturity and lack of experience of younger drivers, FMCSA reiterates that the pilot program will have stringent participation criteria which includes military training that exceeds most entry-level driver

training programs as well as military experience operating a heavy vehicle. Participants must be trained in a specific MOS which have been selected as those most closely mirroring experience with CMVs. Drivers will be required to comply with current regulations regarding ELDs, and while most CMVs are equipped with OBMS systems, FMCSA's position is that requiring use of an OBMS would limit the ability of smaller carriers to apply for the program. In an effort to not bias the sample, OBMS data will be collected from participating drivers if the vehicle they operate is already equipped with that system; however, it is not a requirement for participation.

Comments Neutral towards the Pilot Program: There were three commenters who did not voice whether they supported or opposed the pilot program. These comments included one voicing concern over the industry turning away these young drivers due to the difficult nature of the industry and lifestyle (e.g, long periods away from home), a comment regarding the need for a lot of hands on training for anyone entering the industry, and one comment who had questions and comments regarding expanding the pilot program, current regulations, and the practices their carrier follows. This commenter also felt the current study design was too onerous for small carriers and geared more towards large carriers.

FMCSA Response: These comments were not actionable with regard to this pilot program. The FAST Act specifies who should be included in the pilot program, and the military training offers extensive classroom and behind-the-wheel training prior to being certified in one of the relevant MOS. Regarding the burden on small carriers, FMCSA has designed a study that is open to having all carriers (small, medium, and large) apply to the program, while still being able to meet the safety needs of this pilot program and collect enough data to conduct a statistically meaningful analysis. FMCSA has made several efforts to assist with reducing the burden on small carriers, such as not making OBMS data a requirement, and not requiring carriers to provide a driver for each group on a one-for-one basis.

A 30-day notice was published in the Federal Register Notice announcing FMCSA's intent to send the information collection request to the Office of Management and Budget for review on November 27, 2018 (83 FR 60950).

Additionally, a Federal Register notice was published to propose the pilot program (81 FR 56745) and ask for public comment on details of the pilot program, such as how to participate and how FMCSA plans to monitor participants throughout the program. This notice was published on August 22, 2016, and received 66 public comments. A notice responding to these comments and providing additional details of the pilot program was published on July 6, 2018 (83 FR 31633).

## **9. PAYMENTS OR GIFTS TO RESPONDENTS**

No payments or gifts will be made to respondents.

## **10. ASSURANCES OF CONFIDENTIALITY**

This collection will be kept private to the extent possible under law. Data will be treated in a secure manner and will not be disclosed, unless FMCSA is otherwise compelled by law. The contractor(s) that support the pilot program will sign nondisclosure agreements to ensure

confidentiality. Participants' PII will not be included in pilot program documents. All analysis will be conducted using de-identified data sets and no PII will be contained in the final report. In accordance with USDOT's policy on research involving human subjects, this pilot program will be reviewed and approved by an IRB prior to beginning data collection. This document will be updated with the date of approval once IRB review has been completed. The designated points of contact for the approved motor carriers who will recruit control group and covered drivers will receive IRB ethics training to ensure that the rights of the research subjects are protected.

## **11. JUSTIFICATION FOR THE COLLECTION OF SENSITIVE INFORMATION**

Sensitive information is required to maintain safety throughout the pilot program. One of the requirements of a pilot program is to ensure measures for maintaining safety throughout the program. This will be done by identifying participating drivers (using PII, such as a driver's name and address) and periodically reviewing detailed driver, crash, and safety outcome data. Participating drivers whose performance poses a risk to public safety will be removed from the program. Furthermore, this sensitive data (including military history and type of military discharge) is required for analysis to enable FMCSA to identify and control possible confounding variables, ensuring the analysis is meaningful and the pilot program results provide reasonable conclusions drawn from the data.

## **12. ESTIMATES OF BURDEN HOURS FOR INFORMATION REQUESTED**

### **12.1 PARTICIPATING MOTOR CARRIER TASKS**

FMCSA estimates that up to 50 motor carriers will be participating in the pilot program at any given time. The motor carrier burden is associated with completing the application to participate in the pilot program, submitting the driver information forms and informed consent forms, and submitting the monthly driver activity and safety data information, as well as additional, optional data (OBMS logs, ECM recordings, or post-crash investigations, when applicable). Motor carriers will also need to interact with the research team to notify them within 24 hours of any injury or fatality crashes, if a driver chooses to leave the pilot program (or has left the carrier), if a participant receives an alcohol-related citation (such as driving under the influence or driving while intoxicated) or if a participating driver fails a random or post-crash drug/alcohol test. The time required to report these crashes or driver changes is expected to be minimal, and has been included by adding an additional hour for "Miscellaneous Tasks" each month. More than 50 carriers may be accepted if necessary to collect a large enough sample of driver data; however, there are benefits to limiting the number of carriers participating to ensure that FMCSA is able to properly monitor the participating carriers.

During the first year, FMCSA expects 50 motor carriers to spend approximately 20 minutes completing the one-time motor carrier application, resulting in a total of 16.7 burden hours as shown in Table 1. Error: Reference source not found. Because some motor carriers may drop out of the pilot program, or be removed from the pilot program, during the 3-year period, FMCSA is

estimating a 20 percent turnover in years 2 and 3. This implies an additional 10 carriers will apply in each year. In total, it is estimated that 70 carriers will participate at some point during the pilot program.

**Table 1. Motor carrier respondents and burden hours associated with motor carrier applications by year.**

| Year | Number of Respondents | Number of Responses per Respondent | Average Burden per Response | Total Burden <sup>1 2</sup> |
|------|-----------------------|------------------------------------|-----------------------------|-----------------------------|
| 1    | 50                    | 1                                  | 20 minutes                  | 16.7 hours                  |
| 2    | 10                    | 1                                  | 20 minutes                  | 3.3 hours                   |
| 3    | 10                    | 1                                  | 20 minutes                  | 3.3 hours                   |

<sup>1</sup>Total burden hours across all years: 23.3 hours

<sup>2</sup>Annualized burden hours: 8 hours

It is assumed that first-line supervisors of drivers, or an equivalent position, will undertake this task. The mean hourly wage of first-line supervisors of transportation and material-moving machine and vehicle operators for the truck transportation industry (North American Industry Classification System [NAICS] code 484100), \$28.28, is taken from the Bureau of Labor and Statistics (BLS) May 2016 National Industry-Specific Occupational Employment and Wage Estimates.<sup>(1)</sup>

To arrive at a loaded wage, we first calculated the load factor by dividing the total cost of compensation for private industry workers of the trade, transportation, and utilities industry by the average cost of hourly wages and salaries as reported by the BLS in its Employer Costs for Employee Compensation for December 2016 (\$27.01 total compensation cost / \$18.97 wage and salary = 1.424).<sup>(2)</sup> Multiplying mean hourly wage for heavy and tractor-trailer truck drivers in the truck transportation industry by the load factor results in a loaded wage hourly cost of \$40.27 (\$28.28 x 1.424 = \$40.27), as shown in Table 2Error: Reference source not found.

**Table 2. Estimated wage and compensation of first-line supervisors.**

| Occupation   | BLS Occupation Code | NAICS Occupational Designation    | Mean Hourly Wage | Load Factor | Hourly Compensation Cost |
|--|---------------------|-----------------------------------|------------------|-------------|--------------------------|
| First Line Supervisors of Transportation and Material-Moving Machine and Vehicle Operators | 53-1031             | General Freight Trucking (484100) | \$28.28          | 1.424       | \$40.27                  |

A motor carrier is expected to incur a one-time, first-year motor carrier application cost of \$13.42 (\$40.27 hourly compensation cost x 20 minutes per application = \$13.42). The 70 motor carrier participants are expected to incur a combined total cost of approximately \$938 (\$13.42 x 70 motor carriers), as shown in Table 3Error: Reference source not found.

<sup>1</sup> Bureau of Labor Statistics. Occupational Employment Statistics, May 2016 National Industry-Specific Occupational Employment and Wage Estimates: NAICS 484100 – General Freight Trucking, [https://www.bls.gov/oes/current/naics4\\_484100.htm](https://www.bls.gov/oes/current/naics4_484100.htm), Accessed April 14, 2017.

<sup>2</sup> Bureau of Labor Statistics. “Table 10. Employer costs per hour worked for employee compensation and costs as a percentage of total compensation: private industry workers, by industry group, December 2016.” <https://www.bls.gov/news.release/ecec.t10.htm>, Accessed April 12, 2017.

**Table 3. Motor carrier application burden hours and costs.**

| Year | Loaded Average Hourly Wage Rate | Number of Respondents <sup>1,2</sup> | Total Burden Hours <sup>3,4</sup> | Total Labor Cost <sup>5,6</sup> |
|------|---------------------------------|--------------------------------------|-----------------------------------|---------------------------------|
| 1    | \$40.27                         | 50                                   | 16.7 hours                        | \$671                           |
| 2    | \$40.27                         | 10                                   | 3.3 hours                         | \$134                           |
| 3    | \$40.27                         | 10                                   | 3.3 hours                         | \$134                           |

<sup>1</sup>Total number of respondents:70

<sup>2</sup>Annualized respondents: 23

<sup>3</sup>Total burden hours: 23.3 hours

<sup>4</sup>Annualized burden hours: 8 hours

<sup>5</sup>Total labor costs: \$938

<sup>6</sup>Annualized labor costs: \$313

Participating motor carriers must collect, summarize, and submit driver activity and safety data on a monthly basis during the 3-year pilot program. The process of compiling this data requires motor carriers to retrieve information from their internal databases for each participating driver and to submit the data according to their preference (either directly, or by filling out a standardized form). It is expected to take approximately 45 minutes per driver.

No more than 600 drivers are expected to be actively participating in the pilot program at any given time over the 3-year period. Likewise, no more than 50 carriers are expected to be actively participating in the pilot program at any given time over the 3-year period. We assume that the 50 participating motor carriers will have an average of 12 pilot program drivers each (50 carriers x 12 drivers = 600 drivers). Therefore, a motor carrier will incur the burden of submitting data for 12 drivers on a monthly basis for the 3-year program. It is assumed that first-line supervisors of drivers, or an equivalent position, will undertake this task at a loaded wage hourly cost of \$40.27.

A motor carrier is estimated to spend 45 minutes per driver per month submitting driver activity and safety data. This averages to approximately 108 hours per year (45 minutes per driver x 12 drivers x 12 months = 108 hours) at a cost of approximately \$4,349 (108 hours x \$40.27 per hour = \$4,349.16). As a result of completing the monthly data collection form, the 50 participating motor carriers will incur a combined burden of 5,400 hours per year (108 hours per carrier x 50 carriers = 5,400 hours) at a cost of \$217,458 per year (5,400 hours x \$40.27 per hour = \$217,458), as shown in Table 4.

**Table 4. Monthly data submission burden hours and costs by year.**

| Year | Number of Respondents | Monthly Number of Responses per Respondent | Annual Number of Responses per Respondent | Average Burden per Response | Total Burden <sup>1,2</sup> | Total Cost \$40.27/hr <sup>3,4</sup> |
|------|-----------------------|--|---|-----------------------------|-----------------------------|--------------------------------------|
| 1    | 50                    | 12   | 144                                       | 45 minutes                  | 5,400 hours                 | \$217,458                            |
| 2    | 50                    | 12   | 144                                       | 45 minutes                  | 5,400 hours                 | \$217,458                            |
| 3    | 50                    | 12   | 144                                       | 45 minutes                  | 5,400 hours                 | \$217,458                            |

Totals may not equal the sum of items due to rounding.

<sup>1</sup>Total burden hours across all years: 16,200 hours

<sup>2</sup>Annualized burden hours: 5,400 hours

<sup>3</sup>Total costs across all years: \$652,347

<sup>4</sup>Annualized costs: \$217,458

Additionally, motor carriers may need to contact the research team throughout the month if an important event occurs. Specifically, these important events include an injury or fatal crash involving a participating driver, a driver choosing to leave the study, or a driver leaving the carrier. These events must be relayed to the research team within 24 hours of the carrier being informed of them. It is estimated that a carrier may spend up to 1 hour per month providing this additional data to the research team. It is reflected as one monthly response of 60 minutes; however, it may be several responses throughout the month, depending on how many of these events occur during the month and at what time during the month they occur. It is not expected that a carrier will spend more than 60 minutes a month communicating this information to the research team. This averages to approximately 12 hours per year (60 minutes per month x 12 months = 12 hours) at a cost of approximately \$483 (12 hours x \$40.27 per hour = \$483.24). As a result of the Miscellaneous Tasks, it is estimated that the 50 participating motor carriers will incur a combined burden of 600 hours per year (12 hours per carrier x 50 carriers = 600 hours) at a cost of \$24,162 (600 hours x \$40.27 per hour = \$24,162.00), as shown in Table 5.

**Table 5. Miscellaneous additional data submissions burden hours and costs by year.**

| <b>Year</b> | <b>Number of Respondents</b> | <b>Monthly Number of Responses per Respondent</b> | <b>Annual Number of Responses per Respondent</b> | <b>Average Burden per Response</b> | <b>Total Burden<sup>1,2</sup></b> | <b>Total Cost \$40.27/hr<sup>3,4</sup></b> |
|-------------|------------------------------|---|--|------------------------------------|-----------------------------------|--|
| 1           | 50                           | 1   | 12   | 60 minutes                         | 600 hours                         | \$24,162                                   |
| 2           | 50                           | 1   | 12   | 60 minutes                         | 600 hours                         | \$24,162                                   |
| 3           | 50                           | 1   | 12   | 60 minutes                         | 600 hours                         | \$24,162                                   |

Totals may not equal the sum of items due to rounding.

<sup>1</sup>Total burden hours across all years: 1,800 hours

<sup>2</sup>Annualized burden hours: 600 hours

<sup>3</sup>Total costs across all years: \$72,486

<sup>4</sup>Annualized costs: \$24,162

Finally, a motor carrier is estimated to spend 15 minutes per driver per month submitting additional, optional data, such as OBMS logs or crash investigation findings. This averages to approximately 36 hours per year (15 minutes per driver x 12 drivers x 12 months = 36 hours) at a cost of \$1,450 per year (36 hours x \$40.27 per hour = \$1,450). Although the submission of this data will not occur every month, we assume for the purposes of this ICR that all motor carriers will incur this burden every month, resulting in a total combined burden of 1,800 hours per year (36 hours per carrier x 50 carriers = 1,800 hours) at a cost of \$72,486 per year (1,200 hours x \$40.27 per hour = \$72,486), as shown in Table 6.

**Table 6. Additional driver data submission burden hours and costs by year.**

| <b>Year</b> | <b>Number of Respondents</b> | <b>Monthly Number of Responses per Respondent</b> | <b>Annual Number of Responses per Respondent</b> | <b>Average Burden per Response</b> | <b>Total Burden<sup>1 2</sup></b> | <b>Total Cost \$40.27/hr<sup>3 4</sup></b> |
|-------------|------------------------------|---|--|------------------------------------|-----------------------------------|--|
| 1           | 50                           | 12  | 144  | 15 minutes                         | 1,800 hours                       | \$72,486                                   |
| 2           | 50                           | 12  | 144  | 15 minutes                         | 1,800 hours                       | \$72,486                                   |
| 3           | 50                           | 12  | 144  | 15 minutes                         | 1,800 hours                       | \$72,486                                   |

Totals may not equal the sum of items due to rounding.

<sup>1</sup>Total burden hours across all years: 5,400 hours

<sup>2</sup>Annualized burden hours: 1,800 hours

<sup>3</sup>Total cost across all years: \$217,458

<sup>4</sup>Annualized cost: \$72,486

## **12.2 PARTICIPATING DRIVER TASKS**

FMCSA seeks a target of 600 total drivers to participate in the pilot program throughout the 3-year period: 200 covered drivers, 200 intrastate drivers, and 200 control group drivers. As the proposed pilot program period will be a total of 3 years, some participants will become ineligible for participation as they exceed the maximum age limit of the covered and intrastate driver groups (20 years old) or the control group (24 years old). Additionally other drivers will be lost to attrition or a desire to no longer participate in the pilot program. Over time, FMCSA will need to add additional motor carriers and/or the approved motor carriers will need to add additional drivers to the pilot in order to ensure the statistical validity required by the Agency’s pilot program statute. It is estimated that 900 additional drivers will be required beyond the initial 600 drivers.

To account for the effect of driver turnover on the total burden hours, we assume that the turnover rate for drivers conducting truckload operations is 90 percent and 10 percent for all others based on information in the 2015 ATA report titled *Truck Driver Shortage Analysis*. We further assume that half of all drivers will participate in truckload operations and the other half will participate in non-truckload operations (e.g., less-than-truckload, rail intermodal). In the first year, 600 initial drivers (200 covered, 200 intrastate, and 200 control group) will complete applications for participation, while 300 replacement drivers (100 covered, 100 intrastate, and 100 control group) will need to complete driver information forms and informed consent forms due to turnover (600 drivers x 90 percent turnover x 50 percent truckload participating drivers = 270 drivers; 600 drivers x 10 percent turnover x 50 percent non-truckload participating drivers = 30 drivers; total estimated replacement driver forms = 270 + 30 = 300).

The second year of the program will begin with the already participating 600 drivers, but again an estimated 300 replacement drivers (100 covered, 100 intrastate, and 100 control group) must complete driver information forms and sign informed consent forms due to expected turnover. The third year is expected to follow the same dynamic as the second year. In total, we estimate that over the 3-year pilot program, a total of 1,500 driver information forms and signed informed



consent forms will be completed and accepted (600 initial drivers + 300 additional drivers each year x 3 years = 1,500 driver forms).

The burden for a participating driver is only associated with completing the driver information form and signing an informed consent form that has been approved by a valid IRB to agree to participate in the pilot program. We estimate each driver will take 20 minutes to complete the driver information form as well as review and sign the informed consent form. The estimated number of driver forms and total burden hours for the 3 years covered by this ICR are presented in Table 7.

**Table 7. Driver information form and informed consent form respondents and burden hours by year.**

| Year | Form  | Number of Respondents | Number of Responses per Respondent | Average Burden per Response | Total Annual Burden <sup>1,2</sup> |
|------|---|-----------------------|------------------------------------|-----------------------------|------------------------------------|
| 1    | Driver Information Form & Informed Consent Form | 900                   | 1                                  | 20 minutes                  | 300 hours                          |
| 2    | Driver Information Form & Informed Consent Form | 300                   | 1                                  | 20 minutes                  | 100 hours                          |
| 3    | Driver Information Form & Informed Consent Form | 300                   | 1                                  | 20 minutes                  | 100 hours                          |

Total may not equal the sum of items due to rounding.

<sup>1</sup>Total burden hours across all years: 500 hours

<sup>2</sup>Annualized burden hours: 167 hours

We assume that the impacted driver occupation for all three driver groups corresponds to heavy and tractor-trailer truck drivers from the BLS Occupational Employment Statistics. This occupation has a mean hourly wage of \$20.96 for the truck transportation industry (NAICS code 484100) according to the May 2016 National Industry-Specific Occupational Employment and Wage Estimates.<sup>(3)</sup> To arrive at a loaded wage, we first estimated a load factor of 1.424 by dividing the total cost of compensation for private industry workers of the trade, transportation, and utilities industry (\$27.01) by the average cost of hourly wages and salaries (\$18.97) as reported by the BLS in its Employer Costs for Employee Compensation for December 2016.<sup>(4)</sup> Multiplying mean hourly wage for heavy and tractor-trailer truck drivers in the truck transportation industry by the load factor results in a loaded hourly wage of \$29.85, as shown in Table 8.

**Table 8. Estimated wage and compensation of participating truck drivers.**

| Occupation                              | BLS Occupation Code | NAICS Occupational Designation    | Mean Hourly Wage | Load Factor | Hourly Compensation Cost |
|---|---------------------|-----------------------------------|------------------|-------------|--------------------------|
| Heavy and Tractor-Trailer Truck Drivers | 53-3032             | General Freight Trucking (484100) | \$20.96          | 1.424       | \$29.85                  |

<sup>3</sup> Bureau of Labor Statistics. Occupational Employment Statistics, Occupational Employment and Wages – May 2016, 53-3032 Heavy and Tractor-Trailer Truck Drivers, <https://www.bls.gov/oes/current/oes533032.htm>, Accessed April 12, 2017.

<sup>4</sup> Bureau of Labor Statistics. “Table 10. Employer costs per hour worked for employee compensation and costs as a percentage of total compensation: private industry workers, by industry group, December 2016.” <https://www.bls.gov/news.release/ecec.t10.htm>, Accessed April 12, 2017.

Multiplying the loaded wage rate by the burden hour estimate results in an average cost burden of \$9.95 per driver collection (both information form and signed informed consent form; \$29.85 loaded hourly wage x 20 minutes per response = \$9.95) incurred by a participating motor carrier. Table 9 details the estimated total costs incurred by the 50 participating motor carriers for the participating drivers.

**Table 9. Participating drivers’ total burden hours and annual costs by year.**

| Year | Loaded Average Hourly Wage Rate | Number of Respondents <sup>1,2</sup> | Total Burden Hours <sup>3,4</sup> | Total Labor Cost <sup>5,6</sup> |
|------|---------------------------------|--------------------------------------|-----------------------------------|---------------------------------|
| 1    | \$29.85                         | 900                                  | 300                               | \$8,955                         |
| 2    | \$29.85                         | 300                                  | 100                               | \$2,985                         |
| 3    | \$29.85                         | 300                                  | 100                               | \$2,985                         |

Totals may not equal the sum of items due to rounding.

<sup>1</sup>Total number of respondents across all years: 1,500

<sup>2</sup>Annualized respondents: 500

<sup>3</sup>Total burden hours across all years: 500 hours

<sup>4</sup>Annualized burden hours: 167 hours

<sup>5</sup>Total cost across all years: \$14,925

<sup>6</sup>Annualized cost: \$4,975

**Estimated Number of Respondents:** 1,570 [70 total motor carriers (50 participating at a time); 900 drivers in year 1; 300 drivers in year 2; and 300 drivers in year 3 (500 drivers annualized)].

**Estimated Total Annual Burden:** 7,975 hours [8 hours annualized for motor carrier applications; 167 hours annualized for driver information and informed consent forms; 5,400 hours annualized for monthly driver activity and safety data; 600 hours annualized for miscellaneous tasks; and 1,800 hours annualized for additional supporting data].

**Estimated Annualized Cost of Burden Hours:** \$319,394 [\$313 annualized for motor carrier applications; \$4,975 annualized for driver information and non-consent forms; \$217,458 annualized for monthly driver activity and safety data submission; \$72,486 annualized for miscellaneous tasks; and \$24,162 annualized for additional supporting monthly data. Total cost of burden hours covered by this 3-year ICR is \$958,182 (\$313+\$4,975+\$217,458+\$72,486+\$24,162=\$319,394; \$319,394\*3=\$958,154)].

### **13. ESTIMATE OF TOTAL ANNUAL COSTS TO PARTICIPANTS**

It is estimated that there will be no additional costs to participating motor carriers or drivers other than the estimated burden hours.

## **14. ESTIMATE OF COST TO THE FEDERAL GOVERNMENT**

The total cost for the research design, protocol development, review of literature, and recruitment of motor carrier and driver participants is \$249,031. The period of performance for Phase I was from August 29, 2016, to August 28, 2017. Phase II of the study, which involves finalizing data collection forms and providing support to FMCSA throughout the OMB approval process, as well as receiving IRB approval, was contracted for a value of \$95,000 with a period of performance from September 5, 2017, through June 4, 2018. The hours and costs noted were based on agreed-upon labor hours and rates between USDOT/FMCSA and the MaineWay Services team. Additional funding and two additional phases with extended periods of performance will be required to execute the pilot program, collect and analyze the data, and prepare a technical report. It is estimated that completing these tasks will cost \$1,000,000.

In summary, the Government has spent \$344,031 on this study with an additional expectation of \$1,000,000 that will be spent to contract Phase III for data collection and analysis. The estimated total cost to the Government is \$1,400,000.

There are no additional costs to the Government, as all employees working on this program are within their normal position duties and there is no anticipated travel or overtime associated with this program.

## **15. EXPLANATION OF PROGRAM CHANGES OR ADJUSTMENTS**

This is a new information collection.

## **16. PUBLICATION OF RESULTS OF DATA COLLECTION**

The results of the data collection will be analyzed and integrated into the pilot program report. Data collection will be completed within 90 days of the end of the pilot program period, followed by a statistical analysis and a final report detailing the analysis. Both descriptive and analytical methods will be employed during the data analysis. Statistical methods, such as regression and hypothesis testing, will be adopted when appropriate. FMCSA will use the MCSAC to provide guidance on the pilot program. The collected data and the results of interim analyses will be reviewed by MCSAC. The results of the pilot program will be documented in a technical report that will be delivered to and maintained by FMCSA. This report will be made available to the public on the FMCSA Web site, at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). The contents of the technical report will be utilized in developing the report that FMCSA is required to provide to Congress, pursuant to Section 5404 of the FAST Act.

## **17. APPROVAL FOR NOT DISPLAYING THE EXPIRATION DATE OF OMB APPROVAL**

FMCSA is not seeking an exemption from displaying the expiration date on the information collection forms.

## **18. EXCEPTIONS TO CERTIFICATION STATEMENT**

None.

## **19. ATTACHMENTS**

- A. Motor Carrier Application.
- B. Driver Information Form.
- C. Sample Driver Activity Form.
- D. Sample Detailed Activity Form.
- E. 60-day Federal Register Notice (81 FR 56745).
- F. 30-day Federal Register Notice (83 FR 60950).

## **20. REFERENCES**

Costello, B., and Suarez, R. (2015). Truck Driver Shortage Analysis. American Trucking Associations.

Massie, D. et al. 1995. Traffic Accident Involvement Rates by Driver Age and Gender. *Accident Analysis and Prevention* 27(1), pp. 73-87.

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Federal Motor Carrier Safety Administration. (1975). Minimum Age Requirements of the Federal Motor Carrier Safety Regulations.

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Campbell, K.L. (1991). Fatal Accident Involvement Rates by Driver Age for Large Trucks. *Accident Analysis and Prevention* 23 (4), pp. 287-295.