

Department of Transportation
Office of the Secretary

SUPPORTING STATEMENT

**Exemptions for Air Taxi Registration and Amendments
OMB Control # 2105-0565**

Justification:

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Code of Federal Regulation (CFR) 14 Part 298, Exemptions for Air Taxi Registration, establishes a classification of air carriers known as air taxi operators that offer on-demand passenger service. Generally, they are small businesses, and Part 298 sets a maximum on the size of the aircraft they may operate. The regulation exempts these small operators from certain provisions of the Federal statute to permit them to obtain economic authority by filing a one-page, front and back, OST Form 4507, Air Taxi Operator Registration, and Amendments under Part 298 of the Regulations of the Department of Transportation (DOT). Part 298 also identifies the economic and insurance requirements for these carriers. Under Part 298, air taxi operators are required to register with the Federal Aviation Administration (FAA) and provide proof of liability insurance for all of the aircraft used by the operator.

This information collection supports the Department of Transportation's strategic goals on safety and security. Certification of economic authority and proof of liability insurance is fundamental to ensure compliance with the regulations in order to promote the public health and safety by working toward the elimination of transportation-related deaths, injuries, and property damage.

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

OST Form 4507 provides the information necessary to determine whether an air taxi-type operation meets the Department's criteria for an economic authorization under Part 298. In this regard, the form requires the air taxi to identify the aircraft it will use in its operation. This enables the FAA to assure that liability insurance exists for these aircraft. This identification of aircraft is also important from a safety standpoint. It requires an airworthiness check on the aircraft before the air carrier is allowed to operate.

The information on OST Form 4507 is also used to protect the competitive interests of the air taxis. Since they are all required to register, it serves to monitor the number and character of the air taxis operating. For example, each air carrier is required to provide citizenship information which enables the Department to ensure that the company qualifies as a U.S. citizen under the statute. If Part 298 and OST Form 4507 did not exist, the air carriers would be required to endure an economic fitness proceeding. This would be much more costly for the air carriers, DOT, and FAA.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection.

OST Form 4507 requests general information about the air carrier such as confirmation of its citizenship and a list of the aircraft it will operate. This information is filed only once unless there is an amendment and this information is not otherwise available.

Electronic submissions of OST Form 4507 are used by the FAA. In response to the Government Paperwork Elimination Act (GPEA), the form is available on the Internet, facilitating easy access by the user and submissions are accepted via email, fax or mail. This collection is not compatible with automated data systems; but the FAA is in the process of developing an automated data system that will allow for collection of the information through an Internet user interface. However, this system is not yet complete and currently not available for use.

4. Describe efforts to identify duplication.

To our knowledge, the air carriers are not required to provide this information with any other organization other than the FAA. There is no duplication in the collection.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

Initial submissions of OST Form 4507 can be completed in one hour and amendment to the form can be completed in thirty minutes or less. The form is simplified (one page front and back) and requests only basic information about an air carrier's operation. If the information on the form does not change, the air carrier will never again be required to file that form with the FAA. Also, as noted in #3 above, electronic submission is available for those who have the capability.

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

Air carriers are required to submit OST Form 4507 and the technical, legal and safety obstacles are described in #1 and #2 above.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with guidelines.

The collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

We consult frequently with air taxi operators and/or their representatives to obtain their views on the collection of this information, the format of the form itself, and the data requested.

A notice for comment was published in the *Federal Register* on March 18, 2019, vol. 84, no. 52, page 9862. No comments were received. A copy is attached for your convenience. A 30-day notice was published on May 24, 2019 (84 FR 24196).

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

There are no payments or gifts.

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

The information collected is available for public inspection. Part 298 does not provide any assurances of confidentiality.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive information is requested on the form.

12. Provide estimates of the hour burden of the collection of information. The statements should: indicate the number of respondents, frequency of response, annual hour burden and an explanation of how the burden was estimated. If this request is for approval covers more than one form, provide separate hour burden estimates for each form. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

There have been changes in the estimated hour burden and cost burden associated with this information collection. The estimated hour burden and cost burden to all respondents is estimated as a total of **1,300 hours** and **\$52,300.00 annually**. For *air taxis operators* there are approximately 200 new applicants and 2,200 amendments annually. The initial time burden for a new applicant is approximately 1 hour. The time burden to file an amendment is approximately .5 hours. The filing fee is \$8.00 for new applicants, there is no filing fee for amendments. The estimated air taxi industry rate for one-man hour is \$39.00 per hour.

SUMMARY

	# of Respondents	Responses per Applicant	Total Responses	Hrs per response	Total hours	Hourly rate	Total Hour Cost	Total Responses	Filing Fee	Total Fees
Air Taxis*										
New Applicants	200	1	200	1.0	200	\$39.00	\$7,800.00	200	\$8.00	\$1,600.00
Amendments	2,200	1	2,200	0.5	1,100	\$39.00	<u>\$42,900.00</u>	2,200	\$0.00	0
Totals	2,400		2,400		1,300		\$50,700.00	2,400		\$1,600.00
										\$52,300.00

* The air taxi estimates are based on FAA experience from CY 2011-2016. Numbers are expected to remain relatively constant over the next several years.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

The annual cost burden to respondents or recordkeepers is approximately \$52,300.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method use to estimate cost, which should include quantification of hours, operational expenses and any other expense that would not have been incurred without this collection of information.

The cost to the government for reviewing and processing OST Form 4507, which has changed since the previous approval of this collection, is approximately \$216,000 annually. This represents two man-years at FV-I spending 100% of their time daily processing the forms.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

There are no program changes. However, the approximate hourly wage for respondents (as shown in Question 12 summary) and the annual pay for federal government employees have increased.

16. For collections of information whose results will be published, outline plans for tabulation, and publication.

The information contained on the form is not intended to be published for statistical use.

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

We are not seeking approval to not display the expiration date.

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

There are no exceptions.