

**Department of Transportation
Federal Motor Carrier Safety Administration**

**SUPPORTING STATEMENT
DRIVER QUALIFICATION (DQ) FILES**

Introduction

The Federal Motor Carrier Safety Administration (FMCSA) submits this information collection request (ICR) titled *Driver Qualification Files*, OMB Control Number 2126-0004, to the Office of Management and Budget (OMB) for approval. It expires on January 31, 2020. The ICR estimates the burden commercial motor vehicle (CMV) drivers and motor carriers incur to comply with the reporting and recordkeeping tasks required for motor carriers to maintain driver qualification (DQ) files.

This ICR estimates the burden hours for CMV drivers and motor carriers based on updated driver population and turnover rate data. The current ICR did not monetize driver and motor carrier burden hours. This supporting statement monetizes the burden for drivers and motor carrier personnel performing DQ file reporting and recordkeeping tasks. The current ICR included the burden hours incurred by motor carriers to obtain drivers' medical examiner's certificates (MECs) and file them in the drivers' DQ files. This reporting and recordkeeping requirement is accounted for in the ICR titled *Medical Qualification Requirements*, covered by OMB Control Number 2126-0006, that was approved on November 20, 2018.¹ The burden associated with this reporting and recordkeeping requirement is removed from this ICR to avoid double counting. The current ICR does not include an estimate of motor carrier burden hours to file the list of violations in the DQ file. The burden associated with this task is included in the supporting statement for this ICR.

The burden hours for this ICR are estimated at 12.27 million. This amounts to a 2.06 million hour increase over the 10.21 million burden hours from the last ICR approved by OMB. The increase in burden hours is primarily the result of a larger driver population and a higher driver turnover rate, both of which affect the volume of documents produced and filed in DQ files.

Driver and motor carrier burden hours are monetized using the Department of Labor, Bureau of Labor Statistics (BLS) hourly wage data. The labor cost for this ICR is estimated at \$350.64 million. The known non-labor cost of this ICR is the fees motor carriers pay to State Driver's Licensing Agencies (SDLAs) to obtain drivers' motor vehicle records (MVRs). The median fee for obtaining a MVR is estimated at \$10. It is estimated that motor carriers will request 15.44 million MVRs from SDLAs. This results in a \$154.40 million average annual non-labor cost incurred by motor carriers. Thus, the three-year average annual cost of this ICR is estimated at \$505.04 million.

Part A. Justification

¹ The supporting statement for the *Medical Qualification Requirements* information collection is available at https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=201809-2126-001 (accessed March 5, 2019).

1. Circumstances that make collection of information necessary.

The Motor Carrier Safety Act of 1984 (Pub. L. 98-554, Title II, 98 Stat. 2832 (October 30, 1984)) (Attachment A) requires the Secretary of Transportation (Secretary) to issue regulations pertaining to CMV safety. A motor carrier is required to maintain specified information in a DQ file for each CMV driver it employs. The information documents the driver's qualifications to operate a CMV. FMCSA's authority to require carriers to maintain DQ files is in 49 U.S.C. 504, 31133, 31136, and 31502; 49 CFR 391.51; and 49 CFR 1.87 (Attachments B, C, D, E, F, and G).

This information collection supports the Department of Transportation (DOT) strategic goal of safety. Motor carriers must ensure each driver's qualifications prior to permitting him or her to operate a CMV (49 CFR 391.11) (Attachment H). The information collected and maintained in the DQ file of a driver for this purpose substantiates these qualifications and aids Federal and State investigators in assessing the qualifications of drivers.

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

Public interest in highway safety dictates that employers hire drivers who safely operate CMVs amidst the various physical and mental demands of truck driving. DQ files assist the motor carrier in assessing the safety risk of hiring an individual to drive a CMV. The DQ file documents that a driver: (1) is physically qualified to operate a CMV, (2) has the experience and training to safely operate the type of CMV he or she is assigned to drive, (3) has the appropriate driver's license, (4) has not been disqualified from operating a CMV, and (5) has a history of avoiding high-risk behavior. Without the DQ file, it would be very difficult for the motor carrier to make this assessment. The DQ file also assists Federal and State safety investigators in determining that motor carriers are weighing these factors in deciding who may drive CMVs on their behalf.

3. Extent of automated information collection.

The regulations provide for the transmission and maintenance of records electronically and, in fact, a significant percentage of electronic records, approximately 80 percent, are so handled and maintained today. The Agency believes the percentage is increasing each year.

4. Efforts to identify duplication.

FMCSA is the only Federal agency given the authority to regulate the qualification of CMV drivers operating in interstate commerce. The general requirements of the DQ file (49 CFR 391.51 and part 391, subpart F) do not duplicate any other Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR parts 350-399).

A driver's DQ file must include a driver's MEC (49 CFR 391.51(a)(7)). In the current ICR, the Agency estimated it would take motor carriers 0.43 million hours to comply with this requirement. The ICR titled *Medical Qualification Requirements*, covered by OMB Control Number 2126-0006, which was approved on November 20, 2018, also includes an estimate of the burden incurred by motor carriers to perform this task. The *Medical Qualification*

Requirements ICR includes 0.070 million motor carrier burden hours. Therefore, this ICR removes the MEC recordkeeping requirement from the estimate of burden hours and cost to eliminate double counting.

5. Efforts to minimize the burden on small businesses.

Some motor carriers employ part-time drivers. These drivers may undertake other part-time employment as a driver. Agency rules permit abbreviation of the contents of DQ files to avoid unnecessary duplication and burdensome recordkeeping (49 CFR 391.63 and 391.65) (Attachment I). In some instances, the motor carrier regularly employing the driver simply furnishes a “Qualification Certificate” to other carriers who employ the same driver. The qualification certificate relieves the second carrier from many of the recordkeeping requirements of the DQ file regulations.

Some motor carrier operations are exempt from all recordkeeping requirements related to DQ files. These include: (1) farm custom-harvesting operations (49 CFR 391.2(a)); (2) beekeepers (49 CFR 391.2(b)); (3) farmers using non-articulated CMVs to transport farm machinery, farm supplies, or agricultural products within 150 air-miles (49 CFR 391.2(c) and 49 CFR 390.5); and (4) non-business private motor carriers of passengers (49 CFR 391.68). Farmers using articulated CMVs to transport farm machinery, farm supplies, or agricultural products within a radius of 150 air-miles are exempt from some recordkeeping requirements (49 CFR 391.67). In addition, certain pickup truck operators conducting welding activities in the pipeline industry are exempt from all recordkeeping related to DQ files (49 CFR 391.2(e)).

On March 14, 1996, the Federal Highway Administration (FHWA) (predecessor agency of FMCSA) published a notice of proposed rulemaking (NPRM) titled *Safety Performance History of New Drivers* (61 FR 10548) (Attachment J). The rule proposed to amend the regulations specifying minimum safety information that new and prospective employers would be required to seek from drivers’ previous employers when performing background investigations during the hiring process. The Small Business Administration (SBA) asked the Agency to provide details on its estimate of the paperwork burden of the proposal. The SBA, and commenters J.B. Hunt and Mobil Corporation, were also concerned about limits on the ability of a motor carrier to investigate hours-of-service violations that lead to out-of-service orders. FMCSA answered all these concerns in a supplemental notice of proposed rulemaking (SNPRM) dated July 17, 2003, and titled *Safety Performance History of New Drivers* (68 FR 42339) (Attachment K). The final rule, published on March 30, 2004, clarified that previous employers may charge a fee for providing the safety performance history of their former drivers, but may not condition release of the history upon payment of the fee (69 FR 16684) (Attachment L).

6. Impact of less frequent collection of information.

The information on some DQ documents is only provided one time, such as that furnished at the time the individual applies for employment as a driver. Other information must be obtained by the motor carrier within 30 days of the date the driver begins to drive a CMV for the employer. Other information, such as the driver’s MVR, is only updated once a year. FMCSA has limited the collection of information to the time when it is most relevant to evaluate a driver’s

qualifications to operate a CMV. If this information was collected less frequently, the DQ file would not always provide current and accurate information regarding the driver's qualifications to operate a CMV. In the interest of highway safety, less frequent collection of information is not an option.

7. Special circumstances.

There are no special circumstances related to this information collection.

8. Compliance with 5 CFR 1320.8.

On June 10, 2019 (84 FR 26933, see Attachment M), FMCSA published a notice in the Federal Register requesting public comments on the proposed revision of this information collection. The Agency did not receive any comments to the docket for that notice.

9. Payments or gifts to respondents.

The FMCSA does not provide respondents with any payment or gift for providing this information.

10. Assurance of confidentiality.

The information collected by motor carriers pursuant to the Agency's DQ file regulations must be protected to the extent permitted by law. Agency regulations require motor carriers to obtain certain information about a driver they are considering hiring from certain past employers of the driver. This information includes the driver's traffic accident history and the driver's drug and alcohol history. Motor carriers are required to ensure that certain sensitive information, such as drug and alcohol records, is maintained in a secure location with controlled access (49 CFR 391.53(a)(1)). FMCSA believes that as a practical matter most motor carriers control access to the entire DQ file as if it all is sensitive.

11. Justification for collection of sensitive information.

This information collection involves sensitive data necessary to ensure that motor carriers are informed of the qualifications of their drivers. As explained in Item 10, Agency regulations require motor carriers to limit access to driver-qualification data.

12. Estimate of burden hours for information requested.

Some drivers operate CMVs that require a commercial driver's license (CDL). These include CMVs with a gross vehicle weight rating more than 26,000 pounds, passenger vehicles designed or used to transport 16 or more passengers (including the driver), and motor vehicles transporting hazardous materials that require the vehicle to be placarded. The DQ files of these CDL drivers must contain more information than is required in the DQ files of non-CDL drivers. For example, the DQ file of a CDL driver must contain information obtained from previous employers concerning the testing of the driver for the presence of drugs and alcohol. This testing

is required for CDL drivers, but not for non-CDL drivers. The *additional* burden associated with information collected only from CDL drivers is not estimated in this information collection, but is accounted for in the Agency's information collection titled *Commercial Driver Licensing Testing and Standards*, OMB Control No. 2126-0011.

The burden associated with this information collection is organized in four categories described below.

IC-1 Driver Hiring Process

IC-1 consists of five reporting and recordkeeping tasks performed by drivers, hiring motor carriers, and drivers' previous employers. The five tasks are:

- IC-1.1: Driver prepares and submits employment application (49 CFR 391.21).
- IC-1.2: Hiring motor carrier files employment application in DQ file (49 CFR 391.51(b)(1)).
- IC-1.3: Hiring motor carrier requests MVR from SDLA for three years preceding application and files it in the DQ file (49 CFR 391.23(a)(1) and (b)).
- IC-1.4: Hiring motor carrier requests safety performance history for three preceding years from applicant's previous employers and files documents received in investigation history file (49 CFR 391.23(a)(2) and (c)(1)).
- IC-1.5: Previous FMCSA-regulated employer responds to hiring carrier's request for a driver's safety performance history and files record of each request and response (49 CFR 391.23(g)(1) and (4)).

IC-2 Annual Review of Driver Qualifications

IC-2 consists of three reporting and recordkeeping tasks drivers and motor carriers perform regarding the annual review of driver qualifications based on violations of motor vehicle traffic laws (other than parking violations) and a review of MVRs. The annual review is limited to drivers who have been employed by motor carriers for at least 12 consecutive months. The three tasks are:

- IC-2.1: Driver submits certified list of violations (49 CFR 391.27).
- IC-2.2: Motor carrier files list of violations in DQ file (49 CFR 391.27).
- IC-2.3: Motor carrier requests MVR from SDLA for preceding 12 months and files the response in the DQ file (49 CFR 391.25 and 391.51(b)(4)).

IC-3 Limited Exemptions from Driver Qualification Documentation

IC-3 consists of four reporting and recordkeeping tasks required to document qualifications of multiple-employer drivers, and drivers furnished to another motor carrier by their regular employer. The purpose of the limited exemptions is to minimize duplication of DQ reporting and recordkeeping requirements for drivers operating CMVs for more than one motor carrier. The four tasks associated with IC-3 are:

- IC-3.1: Multiple-employer driver provides hiring carrier with license data, personal

information, medical examiners certificate and certificate of road test or equivalent (49 CFR 391.63(a)).

- IC-3.2: Motor carrier files and retains license data, personal information, medical examiners certificate and certificate of road test or equivalent for three years after employment ends (49 CFR 391.63(b)).
- IC-3.3: Primary motor carrier providing certificate of qualification for a driver furnished to another motor carrier (49 CFR 391.65(a)(2)).
- IC-3.4: A motor carrier obtaining a certificate of qualification for a driver furnished by another motor carrier files and retains a copy of the certificate (49 CFR 391.65(b)(2)).

IC-4 Driver Review and Rebuttal of Safety Performance History

Motor carriers are required to notify driver-applicants that their safety performance history will be investigated and describe the remedies available to them if they wish to contest their former employer's representation of their safety record. Some drivers will exercise their right to obtain a copy of the safety performance history provided by their previous employer to the hiring motor carrier. Additionally, some will take advantage of their right to submit a written rebuttal of the information supplied by their former employers. IC-4 consists of three tasks involving motor carriers and drivers:

- IC-4.1: Hiring carrier notifies driver of right to review safety performance history (49 CFR 391.23(i)(1)).
- IC-4.2: Hiring carrier provides prior employer safety performance history to driver (49 CFR 391.23(i)(2)).
- IC-4.3: Driver prepares and submits rebuttal to previous employer (49 CFR 391.23(j)(3)).

Estimated Driver Population and Job Openings

The burden hours and costs in this ICR are based on a 6.2 million driver population of interstate and intrastate CDL and non-CDL CMV drivers that is reported in FMCSA's *2018 Pocket Guide to Large Truck and Bus Statistics*.² The number of CMV drivers at any given time fluctuates due to factors including, but not limited to, enforcement actions, driver turnover, and licensing issues. The interstate and intrastate driver counts are based on motor carrier registration data in the Motor Carrier Management Information System. The intrastate driver counts for States that do not require intrastate carriers to register with FMCSA are estimated by an extrapolation of State data. The driver population on December 21, 2017, is the base year from which the population is estimated for the three-year period covered by this ICR.

² The *2018 Pocket Guide* is available at <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/safety/data-and-statistics/413361/fmcsa-pocket-guide-2018-final-508-compliant.pdf> (accessed January 9, 2019).

Several of the DQ file reporting and recordkeeping tasks are performed by drivers and motor carriers during the hiring process. Truck driver employment is historically characterized by high turnover rates. The turnover rate is the primary contributor to the annual number of job applications that motor carriers must investigate and document in driver DQ files. For example, *CCJ Commercial Carrier Journal* reported that the turnover rate in the second quarter of 2018 rose to an annualized rate of 98 percent for large truckload carriers, the highest observed since 2015.³ Other segments of the CMV-driver industry have less dramatic rates. Given the focus of the DQ file reporting and recordkeeping requirements on the hiring process, FMCSA must estimate the number of annual job openings.

FMCSA has no internal data that reflects the frequency of driver hiring. In addition, many independent data sources do not capture the precise population of CMV drivers that the Agency regulates. The BLS Occupational Employment Statistics (OES) compiles data on CMV drivers under the Transportation and Moving Materials major occupational group. The OES data captures many, but not all, CMV drivers subject to the FMCSRs. For example, drivers of delivery vehicles and drivers of construction equipment that may move only a few times a year – like heavy-duty, wheel-mounted construction cranes – may not be accurately reflected in the OES data. These drivers are generally subject to the FMCSRs. In addition, OES data on the employment of heavy truck and tractor-trailer drivers is limited to drivers operating CMVs with a capacity of at least 26,000 pounds gross vehicle weight.

To estimate the population of both interstate and intrastate CMV drivers, FMCSA distributed the 6.2 million driver population reported in the *2018 Pocket Guide* among three categories: over-the-road (OTR), truckload (TL), and less-than-truckload (LTL). The OTR category consist predominantly of CMV drivers transporting general freight on behalf of for-hire motor carriers. The TL category is made up predominantly of CMV drivers transporting specialized freight on behalf of for-hire motor carriers. The LTL category includes CMV drivers transporting the property of their motor carrier and drivers engaged in specialized operations analogous to LTL operations. The distribution of the driver population used in this analysis is 52 percent for OTR drivers, 24 percent for TL drivers, and 24 percent for LTL drivers.⁴ The Agency used these percentages to estimate a weighted average turnover rate. The turnover rate applies to the total driver population to estimate annual job openings. The American Trucking Associations turnover rates for the three categories in the second quarter of 2018 was 98 percent for OTR carriers, 72 percent for TL carriers, and 14 percent for LTL carriers.⁵ The weighted average turnover rate is 71.6 percent.⁶

³ *CCJ Commercial Carrier Journal*, “Driver Turnover Rate Surged Again in the Second Quarter to a three-Year High,” October 3, 2018, <https://www.ccjdigital.com/driver-turnover-rate-surged-again-in-second-quarter-to-three-year-high/> (accessed January 9, 2019).

⁴ American Transportation Research Institute, *ATRI Analysis of the Operational Cost of Trucking: 2018 Update*, <http://atri-online.org/wp-content/uploads/2018/10/ATRI-Operational-Costs-of-Trucking-2018.pdf> (accessed December 14, 2018).

⁵ American Trucking Associations Press Release *Turnover at Large Truckload Fleets Hits Highest Level Since 2015* <https://www.trucking.org/article/Turnover-at-Large-Truckload-Fleets-Hits-Highest-Level-Since-2015> (accessed December 14, 2018).

⁶ Calculated as: (71.6% = 52% proportion of OTR drivers × 98% turnover of OTR drivers) + (24% proportion of TL drivers × 72% turnover of TL drivers) + (24% proportion of LTL drivers × 14% turnover of LTL drivers).

In this supporting statement, the 71.6 percent turnover rate is applied to the three-year average of the projected driver population for the information collection period ending in 2022. The projected driver population is based on a 0.595 percent annual growth rate. The growth rate is a weighted average of annual compound growth rates estimated from BLS point estimates of driver employment in 2016 and 2026 projections for four commercial driver occupations reported by BLS Employment Projections Program.⁷ Table 1 shows the calculation of the weighted average compound growth rate.

Table 1. Population Growth Rate

BLS Standard Occupation	2016 Total Employment (thousands)	2016 Employment Percentage of Total	2026 Total Employment (thousands)	Compound Annual Growth Rate in Employment (2016-2026)	Weighted Average Compound Growth Rate
	A	$B = A/3,512$	C	$D = ((C/A) ^ (1/10))-1$	$E = B \times D$
Heavy and tractor-trailer truck drivers	1,871	53.3%	1,980	0.568%	0.303%
Light truck or delivery services drivers	953	27.1%	953	0.634%	0.17%
Bus drivers, school or special client	508	14.5%	508	0.525%	0.08%
Bus drivers, transit and intercity	179	5.1%	179	0.864%	0.04%
	3,512	100%	3,620		0.595%

Note: Annual and average values may not match due to rounding.

Table 2 shows the projected driver population from 2017 to 2022 at a 0.595 percent growth rate and 71.6 percent turnover rate. The driver population for the three-year period covered by this ICR (2020-2022) is estimated at 6.35 million and the three-year average job openings is estimated at 4.55 million (4.55 million job openings = 6.35 million drivers x 71.6 percent).

Table 2. Projected Driver Population and Job Openings

Year	Total Driver Population (millions)	Job Openings (millions)
	$A = A_1 \times (1 + 0.595\%)$	$B = A \times 71.6\% \text{ Turnover Rate}$
2017	6.20	4.44
2018	6.24	4.47
2019	6.27	4.49
2020	6.31	4.52
2021	6.35	4.55
2022	6.39	4.57

⁷ U.S.DOL, BLS. Employment Projections Program. *Table 1.2: Employment by detailed occupation, 2016 and projected 2026*. Available at: <http://www.bls.gov/emp/ind-occ-matrix/occupation.xlsx> (accessed October 29, 2018).

Three-year Average 2020-2022	6.35	4.55
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Monetized value of drivers' and motor carriers' time to comply with DQ File reporting and recordkeeping requirements

The current ICR does not provide an estimate of monetized burden hours for drivers or motor carriers. The Agency monetizes driver and motor carrier burden hours in this ICR using BLS 2017 median hourly wage data for the four driver occupations listed in Table 1 above.⁸ Table 3 summarizes the estimation of a weighted average hourly wage of \$36.25 for drivers. The median hourly wages for each of the four driver occupations are increased to account for fringe benefits and motor carrier overhead as shown in Table 3.

⁸ Bureau of Labor Statistics (BLS). *Occupational Employment Statistics (OES)*, May 2017 Occupational Profiles, https://www.bls.gov/oes/current/oes_nat.htm (accessed October 29, 2018).

Table 3. Driver Hourly Wage Including Fringe Benefits and Motor Carrier Overhead

Occupational Title (BLS Code Number)	Total Drivers	% of Total Drivers	Median Hourly Base Wage	Weighted Hourly Wage	Fringe Benefits Rate	Overhead Rate	Weighted Average Hourly Cost
	<i>A = from BLS OES Data</i>	<i>B = A/Sum of A</i>	<i>C = from OES Data</i>	<i>D = B x C</i>	<i>E = from BLS OES Data</i>	<i>F = from BLS OES Data</i>	<i>G = D x (1+0.569) x (1+,274)</i>
Heavy and Tractor Trailer drivers (53-3032)	1,748,140	52.8%	\$20.42	\$10.79	56.9%	27.4%	\$21.57
Light truck and delivery Service Drivers (53-3033)	877,670	26.5%	\$15.12	\$4.01	56.9%	27.4%	\$8.02
Bus drivers, school and or special client (53-3022)	176,140	5.3%	\$19.61	\$1.04	56.9%	27.4%	\$2.09
Bus drivers, transit and intercity (53-3021)	507,340	15.3%	\$14.93	\$2.29	56.9%	27.4%	\$4.58
Weighted Driver Wage							\$36.25

Note: the number of drivers are the number of respondents by occupational title to the BLS survey. The coverage and scope of the survey is described at https://www.bls.gov/oes/oes_emp.htm#scope (accessed May 12, 2019).

BLS does not publish fringe benefit data by specific occupations. Therefore, the fringe rate used in this analysis is estimated from BLS data for the “transportation and warehousing” industry reported in BLS *Employer Costs for Employee Compensation (ECEC)* quarterly news releases. The *ECEC* reports an average hourly wage of \$25.80 and \$14.69 hourly fringe benefits expense for the “transportation and warehousing” industry. The ratio of hourly fringe benefits and the hourly wage rate results in a 56.9 percent fringe benefit rate (56.9 percent = \$14.34/\$25.80) that is applied to the median hourly wages for the driver occupations shown in Table 3.⁹ The resultant wage rate is increased an additional 24.7 percent to account for motor carrier overhead. The overhead rate comes from a study prepared by the North Dakota State University Upper Great Plains Transportation Institute.¹⁰ The \$36.25 hourly wage, rounded to \$36, is used to monetize

⁹ U.S. DOL, BLS. *Table 10: Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Private industry workers, by industry group. June 2018.* Available at <https://www.bls.gov/news.release/archives/ecec> (accessed May 12, 2019).

¹⁰ Berwick, Farooq. *Truck Costing Model for Transportation Managers*, North Dakota State University, Upper Great Plains Transportation Institute, 2003. Appendix A, pp. 42-47. This estimate is based on an average cost of \$0.107 per mile of CMV operation for management and overhead, and \$0.39 per mile for labor. The ratio of these values results in an estimated 27.4 percent overhead rate (27.4 percent = \$0.107 ÷ \$0.39). <https://www.ugpti.org/resources/reports/details.php?id=475> (accessed October 29, 2018).

driver burden hours. Motor carrier labor costs are based on a \$14.48 median wage for a file clerk (BLS Standard Occupation Code 43-4071) reported in the BLS 2017 OES. When adjusted for fringe benefits and motor carrier overhead, the hourly rate used to estimate motor carrier salary expense is \$29.¹¹

IC-1 Driver Hiring Process Burden Hours and Cost

Table 4 summarizes IC-1.1, the estimate of drivers' burden hours and cost to prepare employment applications. The average number of job openings, estimated to be 4.55 million, is equal to the difference between the total number of CMV drivers projected at a 0.596 percent annual growth rate and the estimated number of jobs openings created by a 71.6 percent turnover rate (4.55 million job openings = 6.35 million drivers x 71.6%). It is estimated that five applications are submitted for each job opening, with the average annual number of job applications estimated to be 22.75 million (22.75 million applications = 4.55 million job openings x 5 applications). The Agency estimates that it takes a driver-applicant 15 minutes to complete the application. This results in an estimated 5.70 million average annual burden hours (5.70 burden hours = 22.75 job openings x 15 minutes ÷ 60). The drivers' time is monetized at \$28 per hour.¹² The average estimated cost to drivers is \$159.25 million (\$159.25 million = 5.70 million hours x \$28).

Table 4. IC-1.1 Driver Cost to Prepare Employment Application

	Driver Population (millions)	Job Openings (millions)	Job Applications (millions)	Driver Burden Hours (millions)	Driver Expense (\$ millions)
Year	<i>A = From Table 2 Col. A</i>	<i>B = A x 71.6%</i>	<i>C = B x 5</i>	<i>D = C x (15 min/60)</i>	<i>E = D x \$28</i>
2020	6.31	4.52	22.59	5.65	\$158.16
2021	6.35	4.55	22.75	5.72	\$159.25
2022	6.39	4.57	22.86	5.72	\$161.00
Average	6.35	4.55	22.75	5.69	\$159.25

Note: Annual and average values may not match due to rounding.

Table 5 summarizes IC-1.2, which is the estimated burden hours and cost incurred by motor carriers to file employment applications. The Agency assumes that motor carriers will receive five applications for each job opening. This results in a three-year average of 22.75 million applications. It takes 1 minute for a motor carrier file clerk to file each application. This results in an average of 0.38 million burden hours (0.38 burden hours = 22.75 million applications x 1 minute ÷ 60). At an average hourly wage of \$29, motor carriers will incur an average annual salary expense of \$10.99 million.

Table 5. IC-1.2 Motor Carrier Files Employment Application in DQ File

¹¹ \$29 = \$14.48 x (1 + 56.9%) x (1 + 27.4%), rounded to the nearest dollar.

¹² The drivers' time is monetized at \$28 per hour for IC-1.1. This is because drivers seeking to change jobs and new entrants would be doing so on their own time. Hence, motor carrier overhead is not applicable to monetizing the burden hours associated with this task.

	Job Applications (millions)	Hiring Motor Carrier Burden Hours (millions)	Hiring Motor Carrier Salary Expense (\$ millions)
Year	<i>A = Table 4 Col. C</i>	<i>B = A x (1 Min./60)</i>	<i>C = B x \$29</i>
2020	22.59	0.38	\$10.92
2021	22.75	0.38	\$10.99
2022	22.86	0.38	\$11.05
Average	22.75	0.38	\$10.99

Note: Annual and average values may not match due to rounding.

Table 6 summarizes IC-1.3, which is the estimate of the burden hours and cost incurred by motor carriers to request MVRs from SDLAs for the preceding three years for drivers that motor carriers select for background investigations. The Agency estimates motor carriers will conduct a background investigation for three out of five applicants for each job opening. Therefore, motor carriers will request on average 13.65 million MVRs from SDLAs (13.65 million MVR requests = 4.55 million job applications x 3). The Agency expects that it will take 5 minutes to request and file MVRs provided by SDLAs, which results in an average of 1.14 million burden hours per year (1.14 million burden hours = 13.65 million MVR requests x 5 minutes ÷ 60). At an average wage of \$29 per hour, the average annual salary expense for this task is estimated at \$32.99 million (\$32.99 million = \$29 x 1.14 million burden hours). The supporting statement does not include an estimate of burden hours and associated costs incurred by SDLAs to provide MVRs in response to motor carrier requests. Providing MVRs to non-commercial and commercial drivers, as well as third parties, is a routine business process instituted for a multitude of entities, not solely for motor carriers to meet FMCSA regulatory requirements. Other entities that use MVRs include, insurance companies, law enforcement agencies, private investigative agencies, Federal, State and local courts, and vendors providing batch retrieval services to authorized third parties.¹³ Thus, the Agency provides an estimate of the fees motor carriers pay SDLAs for retrieval of MVRs, which is described in Item 13.

¹³ See for example, Utah Department of Public Safety, Driver Privacy Protection Act Permissible Uses, Accessible at <https://site.utah.gov/dps-driver/wp-content/uploads/sites/17/2015/01/Permissible-Uses.pdf> (accessed May 7, 2019).

Table 6. IC-1.3 Hiring Motor Carrier Requesting MVR from SDLA and Filing in DQ File

	Job Openings (millions)	Number of Driver Records Requested (millions)	Hiring Carrier Burden Hours (millions)	Hiring Carrier Salary Expense (\$ millions)
Year	<i>A = Table 4 Col. B</i>	<i>B = A x 3</i>	<i>C = B x (5 Min./60)</i>	<i>D = C x \$29</i>
2020	4.52	13.56	1.13	\$32.76
2021	4.55	13.65	1.14	\$32.99
2022	4.57	13.72	1.14	\$33.15
Average	4.55	13.65	1.14	\$32.99

Note: Annual and average values may not match due to rounding.

Table 7 summarizes IC-1.4, which is the estimate of the burden hours and cost incurred by hiring motor carriers to obtain the safety performance history for those applicants that have previously been employed by a FMCSA-regulated motor carrier. The safety performance history is to cover no more than the three years preceding the date of the application. The Agency estimates 80 percent of applications investigated will require motor carriers to obtain an average of 10.91 million safety performance histories from FMCSA-regulated carriers (10.91 million requests = 13.65 million application investigations x 80%). This task is estimated to take 20 minutes for each investigation, which results in an average annual burden of 3.64 million hours (3.64 million burden hours = 10.91 million requests x 5 minutes ÷ 60). At a \$29 per hour wage rate for a file clerk, hiring motor carriers are estimated to incur an average annual salary expense of \$105.46 million.

Table 7. IC-1.4 Burden Hours and Cost for Hiring Carrier to Obtain Applicants’ Safety Performance History from Previous DOT Employer(s)

	Number of Applications Investigated (millions)	Number of Safety Performance History Requests (millions)	Hiring Carrier Burden Hours (millions)	Hiring Carrier Salary Expense (\$ millions)
Year	<i>A = Table 6 Col. B</i>	<i>B = A x 80%</i>	<i>C = B x (20 Min./60 Min.)</i>	<i>D = C x \$29</i>
2020	13.56	10.85	3.62	\$104.84
2021	13.65	10.91	3.64	\$105.46
2022	13.72	10.97	3.66	\$106.09
Average	13.65	10.91	3.64	\$105.46

Note: Annual and average values may not match due to rounding.

Table 8 summarizes IC-1.5, which is the estimate of the burden hours and cost incurred by FMCSA-regulated motor carriers to respond to hiring motor carriers’ requests for the safety performance histories of former drivers. FMCSA estimates that it takes motor carriers 5 minutes to respond to each request (i.e., retrieve the data, prepare the response, and transmit to the hiring motor carrier). The estimated average burden hours for this task are of 0.91 million hours (0.91

million hours = 13.65 x 80% x 5 min. ÷ 60 min.). At an average hourly wage of \$29, the estimated cost to these motor carriers is \$26.37 million (\$26.37 million = 0.91 million hours x \$29).

Table 8. IC-1.5 Burden Hours and Cost for FMCSA-Regulated Employers to Supply Safety Performance History to Hiring Carrier

	Number of Applications Investigated (millions)	Number of Safety Performance History Requests (millions)	FMCSA Regulated Carrier Burden Hours (millions)	FMCSA-Regulated Carrier Salary Expense (\$ millions)
Year	<i>A = Table 6 Col. B</i>	<i>B = A x 80%</i>	<i>C = B x (5 Min./60 Min.)</i>	<i>D = C x \$29</i>
2020	13.56	10.85	0.90	\$26.21
2021	13.65	10.91	0.91	\$26.37
2022	13.72	10.97	0.91	\$26.52
Average	13.65	10.91	0.91	\$26.37

Note: Annual and average values may not match due to rounding.

IC-2 Annual Review of Driver Qualifications Burden Hours and Costs

IC-2.1 is the estimate of the burden hours and costs associated with drivers providing motor carriers a list of violations annually (49 CFR 391.27). This requirement only applies to drivers who have been continuously employed by the same motor carrier for a minimum of 12 months. The number of drivers required to provide motor carriers with a list of violations is estimated as the difference between the total driver population and the number of annual job openings created by turnover. As shown in Table 9, 1.80 million drivers on average are required to provide employers with a list of violations. This estimate is based on a 71.6 percent turnover rate (1.80 million drivers = 6.35 million drivers x (1-71.6%)). The Agency estimates that it takes 2 minutes for a driver to provide a list of violations, which amounts to an average of 0.06 million burden hours (0.06 million burden hours = 1.80 million drivers x 2 minutes ÷ 60) at a cost of \$2.16 million (\$2.16 million = 0.06 burden hours x \$36 per hour).

Table 9. IC-2.1 Driver Submission of List of Violations

Year	Driver Population	Number of Drivers Required to Provide List of Violations Annually (million)	Driver Burden Hours to Provide List of Violations (million)	Driver Salary Expense (\$ million)
	<i>A = Table 2 Col. A</i>	<i>B = A x (1-71.6%)</i>	<i>C = B x (2 Min./60)</i>	<i>D = C x \$36</i>
2020	6.31	1.79	0.06	\$2.15
2021	6.35	1.80	0.06	\$2.16
2022	6.39	1.81	0.06	\$2.18
Average	6.35	1.80	0.06	\$2.16

Note: Annual and average values may not match due to rounding.

Table 10. IC-2.2 Motor Carrier Filing List of Violations to DQ files

Year	Driver Population	Annual Lists of Violations Submitted to Motor Carriers (million)	Motor Carrier Burden Hours to File List of Violations (million)	Motor Carrier Salary Expense (\$ million)
	<i>A = Table 2 Col. A</i>	<i>B = A x (1-71.6%)</i>	<i>C = B x (2 Min./60)</i>	<i>D = C x \$29</i>
2020	6.31	1.79	0.06	\$1.73
2021	6.35	1.80	0.06	\$1.73
2022	6.39	1.81	0.06	\$1.74
Average	6.35	1.80	0.06	\$1.74

Note: Annual and average values may not match due to rounding.

The currently approved supporting statement did not estimate motor carriers' recordkeeping burden for filing drivers' lists of violations in DQ files. This supporting statement includes the burden hours and cost incurred by motor carriers to perform this task, IC-2.2. The average annual number of lists of violations placed in DQ files by motor carriers is equal to the number of drivers required to submit a list of violations. The Agency estimates that it takes a motor carrier file clerk 2 minutes to file a list of violations in a driver DQ file. As shown in Table 10, the three-year average burden incurred by motor carriers to perform this task is 0.06 million hours. At a \$29 hourly wage for a file clerk, the three-year average cost to motor carriers is estimated at \$1.74 million (\$1.74 million = 0.06 million hours x \$29 per hour).

Table 11 summarizes the estimate of IC-2.3, which is the average annual burden hours and cost incurred by motor carriers to submit requests to SDLAs for the MVRs of drivers who they have employed for the preceding 12 months. The number of requests is equal to the difference between the total driver population and the number of job openings created by annual turnover. The Agency estimates that motor carriers will request SDLAs to furnish an average of 1.80 million MVRs (1.80 million requests = 6.35 million drivers x (1-71.6% turnover rate)). The Agency estimates that it takes a motor carrier file clerk 2 minutes to perform this task, which results in an estimated average burden of 0.06 million hours (0.06 million hours = 1.80 million requests to SDLAs x 2 minutes ÷ 60). The wage rate for this task is \$29 per hour. The average annual salary expense to motor carriers is estimated at \$1.74 million. As discussed above, the Agency does not estimate burden hours and costs for SDLAs to provide MVRs on request because it is a routine business practice provided to a multitude of entities for multiple purposes.

Table 11. IC-2.3 Employer Annual MVR Request to SDLAs and Filing MVR in DQ File

	Driver Population (millions)	Number of Drivers Subject to Annual MVR Review (millions)	Motor Carrier Burden Hours for Request and file MVRs Received from SDLAs (millions)	Motor Carrier Salary Expense (\$ millions)
Year	<i>A = Table 2 Col. A</i>	<i>B = A x (1-71.6%)</i>	<i>C = B x (2 Min./60)</i>	<i>D = C x \$29</i>
2021	6.31	1.79	0.06	\$1.73
2022	6.35	1.80	0.06	\$1.74
2023	6.39	1.81	0.06	\$1.75
Average	6.35	1.80	0.06	\$1.74

Note: Annual and average values may not match due to rounding.

IC-3 Limited Exemptions from Driver Qualification Documentation Burden Hours and Costs

IC-3 accounts for the reporting and recordkeeping requirements of DQ documentation pertaining to multiple-employer drivers (49 CFR 391.63) and for drivers furnished to another motor carrier by the drivers' regular employers (49 CFR 391.65). Table 12 shows the estimate of the average burden hours and cost associated with IC-3.1 and IC-3.2. IC-3.1 accounts for the reporting requirement of 49 CFR 391.63(a) that drivers provide license data and personal information to the motor carrier. FMCSA assumes that 10 percent or 0.63 million drivers are multiple-employer drivers (0.63 million drivers = 6.35 million driver populations x 10%). It takes drivers on average 1 minute to supply the data to secondary motor carriers, which results in an average of 0.011 million burden hours (0.011 million burden hours = 0.63 million drivers x 1 minute ÷ 60). At a \$36 hourly wage, the average annual cost of this task is estimated at \$0.381 million (\$0.381 million = 0.011 burden hours x \$36).¹⁴ IC-3.2 accounts for secondary motor carrier recordkeeping requirements prescribed by 49 CFR 391.63(b). The burden hours for this task are the same as that incurred by drivers. Motor carriers' costs are monetized at \$29 per hour at \$0.307 million.

¹⁴ The driver wage rate used in this estimate includes motor carrier overhead because it is assumed that the driver is providing the information required by the rule while the driver is on duty.

Table 12. IC-3.1 and IC-3.2 Reporting and Recordkeeping for Multiple Employer Drivers Information

	Driver Population (millions)	Number of Multiple-Employer Drivers (millions)	IC-3.1 Driver Burden Hours (millions)	IC-3.1 Driver Salary Expense (millions)	IC-3.2 Motor Carrier Burden Hours (millions)	IC-3.2 Motor Carriers Salary Expense (\$ millions)
Year	<i>A = Table 2 Col. A</i>	<i>B = A x 10%</i>	<i>C = B x (1 Min./60)</i>	<i>D = C X \$36</i>	<i>E = B x (1 Min./60)</i>	<i>F = E x \$29</i>
2020	6.31	0.63	0.011	\$0.379	0.011	\$0.305
2021	6.35	0.63	0.011	\$0.381	0.011	\$0.307
2022	6.39	0.64	0.011	\$0.383	0.011	\$0.309
Average	6.35	0.63	0.011	\$0.381	0.011	\$0.307

Note: Annual and average values may not match due to rounding.

Table 13 summarizes the burden hours and cost to motor carriers furnishing drivers to a second carrier. A motor carrier using a driver who it does not regularly employ does not have to establish and maintain a complete DQ file for that driver if the motor carrier obtains a “Qualification Certificate” from the motor carrier that regularly employs the driver (49 CFR 391.65(a)). IC-3.3 accounts for the burden hours and cost for compliance with this regulation. FMCSA estimates that 20 percent of drivers work for a second motor carrier on a temporary basis. This equates to 1.27 million drivers (1.27 million furnished drivers = 6.35 million driver population x 20%). FMCSA estimates that regular motor carriers require 2 minutes to complete the Qualification Certificate. This results in an average annual burden of 0.042 million hours (0.042 million hours = 1.27 million drivers x 2 minutes ÷ 60). Based on a \$29 hourly wage for a file clerk, regular motor carriers are estimated to incur a \$1.23 million average annual salary expense to perform this task. Motor carriers that temporarily employ drivers must contact the drivers’ regular employers to validate the certificate, and then file it in accordance with 49 CFR 391.65(b). This task is accounted for by IC-3.4. The Agency estimates it will take the temporary employer 3 minutes to contact the drivers’ regular employers and to file a Qualification Certificate for each driver. This results in an average annual burden of 0.063 million hours (0.063 hours = 1.27 million drivers x 3 minutes ÷ 60). At the \$29 hourly wage for a file clerk, temporary motor carriers are estimated to incur a \$1.84 million average annual salary expense.

**Table 13. IC-3.3 and IC-3.4 Reporting and Record Keeping for Drivers
Furnished by Another Carrier**

	Driver Population (millions)	Drivers Furnished to Another Motor Carrier (millions)	IC-3.3 Regular Motor Carrier Burden Hours (millions)	IC-3.3 Regular Employer Salary Expense (\$ millions)	IC-3.4 Temporary Motor Carrier Burden Hours (Millions)	IC-3.4 Temporary Motor Carrier Salary Expense (\$ millions)
Year	A = Table 2 Col. A	B = A x 20%	C = B x (2 Min./60)	D = C x \$29	E = B x (3 Min./60)	F = E x \$29
2020	6.31	1.26	0.042	\$1.22	0.063	\$1.83
2021	6.35	1.27	0.042	\$1.23	0.063	\$1.84
2022	6.39	1.28	0.043	\$1.23	0.064	\$1.85
Average	6.35	1.27	0.042	\$1.23	0.063	\$1.84

Note: Annual and average values may not match due to rounding.

IC-4 Driver’s Review and Rebuttal of Safety Performance History Burden Hours and Cost

IC-4.1 accounts for the requirement that motor carriers notify drivers of their right to review safety performance histories provided by previous employers regulated by FMCSA to hiring motor carriers (49 CFR 391.23(i)(1)). The estimates of the burden hours and cost of this requirement are summarized in Table 14. The number of motor carrier notices to drivers equals the number of motor carrier requests for safety performance histories, which is estimated at 10.91 million drivers. FMCSA estimates that motor carriers require an average of 1 minute to provide this notice. The estimated (average) annual burden to applicants is 0.182 million hours (0.182 million hours = 10.91 drivers x 1 minute ÷ 60). At a \$29 hourly wage for a file clerk, the average annual expense to hiring motor carriers is estimated at \$5.27 million.

Year	Number of Driver Applicants Notified of Rights to Review Safety Performance History (millions)	Motor Carrier Burden Hours to Provide Notification (millions)	Motor Carrier Salary Expense to Provide Notification (\$ millions)
	A = Table 14 Col. B	B = A x (1 Min./60)	C = B x \$29/hour
2020	10.85	0.181	\$5.24
2021	10.91	0.182	\$5.27
2022	10.97	0.183	\$5.30
Average	10.91	0.182	\$5.27

Note: Annual and average values may not match due to rounding.

Table 15. IC-4.2 Motor Carrier Providing Driver with Safety Performance History

	Number of Safety Performance History Investigations (millions)	Number of Jobs Filled (millions)	Number of Drivers Requesting Safety Performance History (millions)	Motor Carrier Burden Hours to Provide Safety Performance History to Hiring Carrier (millions)	Motor Carrier Salary Expense (\$ millions)
Year	A = Table 14 Col. A	B = Table 2 Col. B	C = (A-B) x 5%	D = C x (3 Min./60)	E = D x \$29
2020	10.85	4.52	0.316	0.016	\$0.459
2021	10.91	4.55	0.318	0.016	\$0.461

2022	10.97	4.57	0.320	0.016	\$0.464
Average	10.91	4.55	0.318	0.016	\$0.461

Note: Annual and average values may not match due to rounding.

Table 15 summarizes IC-4.2 which is the estimate of average annual burden hours and cost incurred by hiring motor carriers furnishing drivers copies of safety performance histories provided by previous employers. Drivers have the right to request a copy of their safety performance history from the hiring motor carrier. The Agency estimates that hiring motor carriers will, on average, investigate the safety performance history of three applicants for each driver opening; thus, approximately 10.91 million safety history investigations are conducted annually. The 4.55 million applicants selected for driver positions generally have no reason to request their safety history. Of the remaining 6.36 million driver-applicants (6.36 million applicants = 10.91 million investigated – 4.55 million jobs), 5 percent or 0.318 million request their safety performance histories from the hiring motor carrier (0.318 applications = (10.91 million investigations – 4.55 million job openings) x 5%). FMCSA estimates that it takes 3 minutes for hiring motor carriers to provide each driver-applicant with a copy of his or her safety performance history. It takes 0.016 million burden hours to perform this task (0.016 million hours = 0.318 million drivers requesting their safety performance history x 3 minutes ÷ 60). Based on a \$29 per hour rate, average annual expense to hiring motor carriers for performing this task is estimated at \$0.461 million.

IC-4.3 accounts for the time and expense incurred by driver-applicants if they choose to rebut in writing a safety performance history provided to the hiring motor carrier. The estimate of the annual burden hours and cost associated with this task is summarized in Table 16. The applicant must forward the rebuttal to former employers and ask that the history be amended. The Agency assumes that of the 0.318 million applicants who receive their safety performance histories, 10 percent, or 0.032 million, submit a rebuttal to prior employers. FMCSA estimates that drivers will require 30 minutes to draft a rebuttal and provide it to the motor carriers. The annual burden associated with submitting a rebuttal is estimated to be 0.016 million hours (0.016 million = 0.032 million rebuttals x 30 minutes ÷ 60). The cost of this task is estimated at \$0.445 million based on a \$28 per hour driver wage. Motor carrier overhead is excluded from the driver wage because it is assumed that the applicant is preparing the rebuttal on his or her own time.

Table 16. IC-4.3 Driver Rebuttal of Safety Performance History

	Drivers Requesting Safety Performance History (millions)	Drivers Submitting Rebuttal (millions)	Driver Burden Hours (millions)	Driver Expense (\$ millions)
Year	<i>A = Table 15 Col. C</i>	<i>B = A x 10%</i>	<i>C = (B x 30 Min/60)</i>	<i>D = C X \$28</i>
2020	0.316	0.032	0.016	\$0.443
2021	0.318	0.032	0.016	\$0.445
2022	0.320	0.032	0.016	\$0.448
Average	0.318	0.032	0.016	\$0.445

Note: Annual and average values may not match due to rounding.

Table 17 summarizes the burden hours and costs incurred by drivers and motor carriers to comply with DQ reporting and recordkeeping requirements.

Table 17. Estimated Burden Hours and Cost for DQ Filing Requirements

Information Collection	Number of Responses (millions)	Minutes per Response	Burden Hours (millions)	Cost (\$ millions)
IC-1 Driver Hiring Process				
IC-1.1 Driver prepares and submits employment application [49 CFR 391.21]	22.75	15	5.69	\$159.25
IC-1.2 Hiring motor carrier files application in DQ file [49 CFR 391.51(b)(1)]	22.75	1	0.38	\$10.99
IC-1.3 Hiring carrier requests applicant’s MVR from SDLAs for three preceding years and files in DQ file [49 CFR 391.23(a)(1) and (b)]	13.65	5	1.14	\$32.99
IC-1.4 Hiring motor carrier requests safety performance history from applicant’s prior FMCSA-regulated employers and files in investigation history file [49 CFR 391.23(a)(2) and (c)(1)]	10.91	20	3.64	\$105.46
IC-1.5 Prior FMCSA-regulated carrier response to request for safety performance history	10.91	5	0.91	\$26.37
Total IC-1	80.92		11.74	\$334.87
IC-2: Annual Review of Driver Qualifications				
IC-2.1 Driver submits list of violations [49 CFR 391.27]	1.80	2	0.06	\$2.16
IC-2.2 Motor carrier files list of violations in DQ file [49 CFR 391.27]	1.80	2	0.06	\$1.74
IC-2.3 Employer annual request to SDLAs for MVR [49 CFR 391.25]	1.80	2	0.06	\$1.74
Total IC-2	5.41		0.18	\$5.64
IC-3 Limited Exemptions from Driver Qualification Documentation				
IC-3.1 Multiple-employer driver provides license data and personal information [49 CFR 391.63(a)]	0.63	1	0.01	\$0.38
IC-3.2 Motor carrier files driver license data and personal information [49 CFR 391.63(b)]	0.63	1	0.01	\$0.31
IC-3.3 Regular employer provides certification of driver	1.27	2	0.04	\$1.23

qualifications [49 CFR 391.65(a)(2)]				
IC-3.4 Second employer requests certification of driver qualifications and files certificate [49 CFR 391.65(b)]	1.27	3	0.06	\$1.84
Total IC-3	3.81		0.13	\$3.76
IC-4: Driver Review and Rebuttal of Safety Performance History				
IC-4.1 Hiring carrier provides notification to drivers of right to review safety performance history [49 CFR 391.23(i)(1)]	10.91	1	0.18	\$5.27
IC-4.2 Hiring carrier provides prior employer safety history to applicant [49 CFR 391.23(i)(2)]	0.32	3	0.02	\$0.46
IC-4.3 Driver prepares and submits rebuttal to previous employer [49 CFR 391.23(j)(3)]	0.03	30	0.02	\$0.45
TOTAL IC-4	11.26		0.21	\$6.18
TOTAL	101.43		12.27	\$350.64

Note: Annual and average values may not match due to rounding.

Summary Statistics

Estimated annual burden hours: 12.27 million hours

Estimated annual number of respondents: 6.89 million respondents (6.35 million drivers + 0.54 million motor carriers)

Estimated annual number of responses and recordkeeping tasks: 101.43 million

13. Estimate of total annual costs to respondents or recordkeepers.

The known non-labor costs associated with this information collection are costs to motor carriers to purchase MVRs. Motor carriers are required to request MVRs annually from SDLAs for drivers they have employed for 12 consecutive months. The Agency estimates that motor carriers will request SDLAs to provide 1.80 million MVRs to comply with 49 CFR 391.25. Motor carriers are also required by the hiring process to request SDLAs to provide MVRs for applicants for the preceding three years. The Agency estimates that motor carriers will on average make 13.65 million requests for MVRs as part of the hiring process (49 CFR 391.23). Therefore, on average, motor carriers are estimated to request SDLAs to furnish 15.44 million MVRs. The Agency obtained from all 51 SDLA web sites fees charged for requesting an MVR. The cost per request is estimated at \$10, which consists of a \$9 median fee charged by the 51 SDLAs, plus a \$1 fee paid to third party providers. The Agency estimates the annual cost incurred by motor carriers to obtain MVRs is \$154.40 million.

The Agency does not estimate SDLA burden hours and costs to provide motor carriers MVRs required by 49 CFR 391.25 and 49 CFR 391.23 because it is a routine business practice. The Agency assumes that third party vendors provide batch processing of requests for MVRs on behalf of motor carriers. Thus, a \$1 fee for vendors retrieving MVRs is added to the median fee charged by SDLAs. A LexisNexis survey of SDLA MVR order requirements indicates that SDLAs have developed systems to accommodate small and large requests electronically. Forty-nine SDLAs responded that they provide both interactive requests for MVRs as well as batch processing. The remaining SDLAs provide only batch processing.

14. Estimate of cost to the Federal government.

The Federal government incurs no costs associated with part 391 information and recordkeeping requirements. Motor carriers collect and maintain part 391 information, and FMCSA does not require that information to be submitted to the Agency. A motor carrier must make the part 391 information available when an FMCSA or State investigator conducts an on-site review at the motor carrier’s place of business or terminal.

15. Explanation of program changes or adjustments.

Table 18 summarizes and compares the adjustments made in this supporting statement to the supporting statement approved by OMB on January 6, 2017.

Table 18. Program Adjustments

	OMB Approved			This ICR																																
CMV Driver Population	5.7 million			Projected the driver population from a December 27, 2017 base of 6.20 million increased at a 0.595 percent annual growth rate. 2020: 6.31 million 2021: 6.35 million 2022: 6.39 million Three-year average 6.35 million																																
Number of Motor Carriers	500,000			543,061																																
Turnover Rates	<table border="1"> <thead> <tr> <th></th> <th>Turnover Rate</th> <th>% of Driver Population</th> </tr> </thead> <tbody> <tr> <td>OTR</td> <td>97%</td> <td>40%</td> </tr> <tr> <td>TR</td> <td>94%</td> <td>20%</td> </tr> <tr> <td>LTL</td> <td>13%</td> <td>40%</td> </tr> <tr> <td colspan="3">Weighted average turnover rate: 62.8%</td> </tr> </tbody> </table>				Turnover Rate	% of Driver Population	OTR	97%	40%	TR	94%	20%	LTL	13%	40%	Weighted average turnover rate: 62.8%			<table border="1"> <thead> <tr> <th></th> <th>Turnover Rate</th> <th>% of Driver Population</th> </tr> </thead> <tbody> <tr> <td>OTR</td> <td>98%</td> <td>52%</td> </tr> <tr> <td>TR</td> <td>72%</td> <td>24%</td> </tr> <tr> <td>LTL</td> <td>14%</td> <td>24%</td> </tr> <tr> <td colspan="3">Weighted average turnover rate: 71.8%</td> </tr> </tbody> </table>				Turnover Rate	% of Driver Population	OTR	98%	52%	TR	72%	24%	LTL	14%	24%	Weighted average turnover rate: 71.8%		
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TR	72%	24%																																		
LTL	14%	24%																																		
Weighted average turnover rate: 71.8%																																				
Monetized Driver and Motor Carrier Burden Hours	Not Monetized			Driver burden hours monetized at \$36 per hour including fringe benefits and motor carrier overhead. Tasks not performed on motor carrier time exclude overhead and are estimated at \$28 per hour. Motor carrier file clerk burden hours monetized at \$29 per hour including fringe benefits and overhead.																																

Table 18. Program Adjustments

	OMB Approved	This ICR
Treatment of 49 CFR 391.51(a)(7) Burden	5.17 million responses 0.43 burden hours	Eliminated to avoid duplication of burden hours and costs accounted for in the information collection titled <i>Medical Qualification Requirements</i> , OMB Control Number 2126-0006.
SDLA Fee for MVR Request	\$5 per request	\$10 per request that is the median value for all SDLA fees

The currently approved supporting statement estimated total burden hours at 10.21 million hours. In this supporting statement, the total burden hours are estimated at 12.27 million hours. The increase in burden hours is primarily the result of the growth in the driver population from 5.7 million drivers in the current ICR to 6.35 million estimated for this ICR. Burden hours also increased for reporting and recordkeeping activities because of the increase in the driver turnover rate from 62.8 percent to 71.6 percent. In addition, this ICR estimated 0.06 million burden hours for motor carriers to process drivers' lists of violations, IC-2.2, that was not accounted for in the current ICR. However, this ICR removed 0.43 million burden hours for motor carriers review and filing of driver MECs. This activity is accounted for in the *Medical Qualification Requirements* ICR, OMB Control Number 2126-0006. Removing it from this ICR prevents double counting.

The currently approved supporting statement did not monetize burden hours. This supporting statement monetizes driver and motor carrier burden hours for the tasks they perform to comply with the information that is required to be maintained in DQ files. Based on the wage rates for drivers and motor carrier personnel described in Item 12, the average annual monetized burden for drivers and motor carriers is estimated at \$350.64 million. The cost to motor carriers to obtain MVRs from SDLAs increased from \$78.3 million to \$154.40 million. The increase is due to the growth in the driver population, the increase in job openings caused by the turnover rate increasing from 62.3 percent to 71.6 percent, and the increase in the fee paid to SDLAs for an MVR request from \$5 per request to \$10 per request.¹⁵ Thus, the average annual cost in this ICR is \$505.04 million (\$505.04 million = \$350.64 million + \$154.40 million).

16. Publication of results of data collection:

This information collection requires recordkeeping by motor carriers. As such, there will be no related publication of such data.

¹⁵ The currently approved supporting statement estimated the number of MECs that motor carriers review and file. The burden hours and costs associated with MECs has been eliminated to avoid duplicating what is now accounted for in the *Medical Qualification Requirements* ICR, OMB Control Number 2126-0006.

17. Approval for not displaying the expiration date for OMB approval:

FMCSA is not seeking this approval.

18. Exceptions to certification statement:

FMCSA is claiming no exception to any element of the certification statement identified in Item 19 of OMB Form 83-I.

Attachments

- A. The Motor Carrier Safety Act of 1984, Pub. L. 98-554, Title II, 98 Stat. 2832, October 30, 1984.
- B. 49 U.S.C. 504 titled, "Reports and records."
- C. 49 U.S.C. 31133 titled, "General Powers of the Secretary of Transportation."
- D. 49 U.S.C. 31136 titled, "United States Government regulations."
- E. 49 U.S.C. 31502 titled, "Requirements for qualification, hours of service, safety, and equipment standards."
- F. 49 CFR 391.51 titled, "General Requirements for Driver Qualification Files."
- G. 49 CFR 1.87 titled, "Delegations to the Federal Motor Carrier Safety Administration Administrator."
- H. 49 CFR 391.11 titled "General Qualifications of Drivers."
- I. 49 CFR 391.63 titled, "Multiple-Employer Drivers," and 391.65 titled, "Drivers Furnished by Other Motor Carriers."
- J. An NPRM titled, "Safety Performance History of New Drivers" (61 FR 10548, March 14, 1996).
- K. An SNPRM titled, "*Safety Performance History of New Drivers*" (68 FR 42339, July 17, 2003).
- L. A final rule titled, "*Safety Performance History of New Drivers and Minimum Training Requirements for Longer Combination Vehicles (LCV) Operators and LCV Driver-Instructor Requirements*" (69 FR 16684, March 30, 2004).
- M. A sixty-day comment request Federal Register notice (84 FR 26933), dated June 10, 2019.