

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

**SUPPORTING STATEMENT
Request for Revocation of Authority Granted**

INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) submits to the Office of Management and Budget (OMB) its request to extend a currently-approved information collection request (ICR) titled “Request for Revocation of Authority Granted,” covered by OMB Control Number 2126-0018. This ICR, which is currently due to expire on September 30, 2020, anticipates an increase in the estimated number of annual filings from 3,501 to 5,901. This form applies to a motor carrier entity voluntarily requesting to revoke its operating authority.

Part A. Justification

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

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

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

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

2. HOW, BY WHOM, AND FOR WHAT PURPOSE IS THE INFORMATION USED

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

3. EXTENT OF AUTOMATED INFORMATION COLLECTION

Form OCE-46 is filed by registrants on a voluntary, and for the most part, one-time basis. Since the previous iteration of this information collection request, filers wishing to revoke their operating authority can now file the form online by going to FMCSA’s Online Registration System and selecting the option “Voluntarily revoke my Operating Authority (MC/FF/MX number).” The only difference between filing the form online versus by paper is that the online version requires the filer’s MC (Docket) Personal Identification Number (PIN) to authorize the form, as opposed to using a notary or FMCSA staff member to authorize the form. The form, whether submitted online or by paper, calls for only enough information to identify the registrant and the scope of its request.

4. EFFORTS TO IDENTIFY DUPLICATION

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

5. EFFORTS TO MINIMIZE THE BURDEN ON SMALL BUSINESSES

Paperwork burdens have been minimized for small businesses through automation. As mentioned in item 3, above, registrants can now file the form online. By filing online, motor carriers eliminate the need for notarization/FMCSA staff authorization and any costs associated with mailing the form. This relieves some of the burden associated with filing Form OCE-46, for all registrants.

6. IMPACT OF LESS FREQUENT COLLECTION OF INFORMATION

There is no requirement for Form OCE-46 to be filed on a periodic basis. The form is submitted to FMCSA only on an “as needed” basis, only when necessary as determined by the filing entity.

7. SPECIAL CIRCUMSTANCES

There are no special circumstances related to this information collection.

8. COMPLIANCE WITH 5 CFR 1320.8:

FMCSA published a notice in the Federal Register (84 FR 69451) with a 60-day public comment period to announce this ICR on December 18, 2019 (see Attachment E). The Agency received no comments in response to this notice. FMCSA published a notice in the Federal Register on April 21, 2020, (see Attachment F), with a 30-day public comment period that announces this information will be sent to OMB for approval.

9. PAYMENTS OR GIFTS TO RESPONDENTS

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

10. ASSURANCE OF CONFIDENTIALITY

There is no assurance of confidentiality. The form is submitted on a voluntary basis and merely calls for information identifying the registrant, the scope of its request, and basis of its requested revocation. Collected information is uploaded to an FMCSA database for FMCSA’s recordkeeping.

11. JUSTIFICATION FOR COLLECTION OF SENSITIVE INFORMATION

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

12. ESTIMATE OF BURDEN HOURS FOR INFORMATION REQUESTED

ASSUMPTIONS FOR BURDEN ESTIMATES

Based on FMCSA records of voluntary revocations filed for years 2016 to 2018,¹ FMCSA estimates a total of 5,901 registrants will file Form OCE-46 annually. Of these 5,901 filers, FMCSA estimates a total of 1,567 registrants will file Form OCE-46 via paper and mail while the remaining 4,334 will file the form online.

The form is filed on an “as-needed” basis, and there is no continuing information collection function associated with the form. The form asks for very limited information, which is readily available to the filer. FMCSA estimates that it takes 15 minutes, or 0.25 hours, to complete the form, either online or by paper. FMCSA also anticipates receiving one response per respondent.

Table 1 presents the total hourly burden to respondents.

Table 1. Total respondents (both paper and online) and total burden hours.

Year	Total Respondents (A)	Total Responses (B)= (A*1)	Hours Per Response (C)	Total Burden Hours (rounded) (D) = (B*C)
2018	6,345	6,345	0.25	1,586
2017	5,903	5,903	0.25	1,476
2016	5,454	5,454	0.25	1,364
Total	17,702	17,702	-	4,426
Annualized	5,901	5,901	-	1,475

FMCSA assumes that motor carrier clerical staff will prepare and submit Form OCE-46 for motor carriers. Wage data for industry occupations is obtained from the Bureau of Labor Statistics (BLS). The closest available occupation for “motor carrier clerk” in the BLS data is “Information and Record Clerks, All Other” in the transportation and warehousing series, which has a median hourly wage of \$21.38 as of May 2018.²

The loaded hourly wage for a motor carrier clerk (which includes the costs of employee benefits, overhead, and fringe) is estimated by multiplying the median hourly wage by the load factor. The load factor is estimated by dividing the total cost of compensation for private industry workers of the transportation and warehousing series (\$40.49) by the average cost of hourly wages and salaries (\$25.80), as reported by BLS ($\$40.49/\$25.80 = 1.57$).³

¹ FMCSA data indicates the number of voluntary revocations filed through paper Form OCE-46 were 1,604 in 2016, 1,794 in 2017, and 1,304 in 2018. FMCSA data indicates the number of total (paper and online) voluntary revocations filed Form OCE-46 were 5,454 in 2016, 5,903 in 2017, and 6,345 in 2018. Total numbers retrieved from FMCSA’s L&I database snapshot, retrieved September 27, 2019.

² U.S. Department of Labor, Bureau of Labor Statistics. (2018). “May 2018 National Industry-Specific Occupational Employment and Wage Estimates.” (Information and Record Clerks, All Other; https://www.bls.gov/oes/current/naics2_48-49.htm). Retrieved July 19, 2019, from: www.bls.gov/oes/current/oesrci.htm.

³ Load Factors: U.S. Department of Labor, Bureau of Labor Statistics. (2018). “Table 10. Employer costs per hour

Table 2 presents the loaded wage estimates used in this analysis.

Table 2. Median and loaded hourly wages for motor carrier clerks.

Position	Load Factor (A)	Median Hourly Wage (B)	Loaded Hourly Wage (A*B)
Motor Carrier Clerk	1.57	\$21.38	\$33.57

Table 3 combines the total loaded wage and the total burden hours to produce the estimated annual burden hour cost to respondents.

Table 3. Total respondent labor cost.

Year	Total Respondents (A)	Hours Per Response (B)	Total Burden Hours (C) = (A*B)	Labor Hour Cost (D)	Total Labor Cost (rounded) (E) = (C*D)
2018	6,345	0.25	1,586	\$33.57	\$53,242
2017	5,903	0.25	1,476	\$33.57	\$49,549
2016	5,454	0.25	1,364	\$33.57	\$45,789
Total	17,702	-	4,426	-	\$148,580
Annualized	5,901	-	1,475	-	\$49,527

Estimated Number of Annual Respondents: 5,901

Estimated Number of Annual Responses: 5,901 [5,901 respondents × 1 response per respondent]

Estimated Total Annual Burden: 1,475 hours [5,901 responses × 0.25 hours = 1,475]

Estimated Annual Labor Cost to Industry: \$49,527

13. ESTIMATE OF TOTAL ANNUAL COSTS TO RESPONDENTS

FMCSA estimates there are no non-labor-related annual costs to respondents who file the form online, as online filers use their MC (Docket) PIN to validate the filer’s request. Requesting a PIN is done online, free of charge. However, respondents who file the form via mail incur costs associated with notarizing the form (i.e., notarization fees) and mailing it to FMCSA headquarters. For these non-labor costs, FMCSA estimates that 1,567 paper OCE-46 forms will be filed by mail annually.

Our estimate for notarization fees is based on a review of notarization fees across the United States. The maximum fees allowed for most single-page, single-signature notarizations range from a low of \$0.50–\$1.00 in some States (such as Vermont, Illinois, and Rhode Island) to a high of \$15.00 in other States (such as California). Some States do not set limits (such as Alaska, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, and Tennessee).⁴ FMCSA conservatively assumes that there will be, on average, a \$10.00 fee to

worked for employee compensation and costs as a percentage of total compensation: private industry workers, by industry group, June 2018,” in News Release: Employer Costs for Employee Compensation—June 2018. Retrieved July 19, 2019, from: https://www.bls.gov/news.release/archives/ecec_09182018.pdf.

⁴ National Notary Association. “Notary Fees By State.” Retrieved October 15, 2019, from

have form OCE-46 notarized.⁵ The total annual cost to respondents to notarize the forms is thus estimated to be approximately \$15,670 (1,567 paper forms filed × \$10 = \$15,670).

FMCSA conservatively estimates a flat cost of \$0.60 for a filer to submit the form via mail. This includes the average cost of an envelope (\$0.05) plus the cost of one postage stamp (\$0.55).^{6,7} The total annual cost of envelopes and postage for a respondent mailing Form OCE-46 to FMCSA is thus estimated to be \$940 (\$0.60 × 1,567 paper forms filed = \$940).

Table 4, below, summarizes the total annual cost to respondents.

Table 4. Total non-labor-related costs to respondents.

Paper Respondents (A)	Notarization Fee (B)	Total Cost for Notarization Fee (C) = (A*B)	Cost to Mail Form (D)	Total Cost to Mail Form (E) = (A*D)	Total Burden Cost (F) = (C+E)
1,567	\$10.00	\$15,670	\$0.60	\$940	\$16,610

Estimated Total Annual Cost to Respondents: \$16,610 [\$15,670 for Notarization + \$940 for envelope and postage]

14. ESTIMATE OF COST TO THE FEDERAL GOVERNMENT

A Grade 7 (Step 3) Transportation Assistant processes the OCE-46, and FMCSA estimates that processing each form takes approximately 15 minutes, or 0.25 hours. The estimated loaded hourly cost for a Grade 7 (Step 3) Transportation Assistant is estimated to be \$23.78 per hour, comprising wages of \$18.58 per hour⁸ and benefits equal to 28 percent of wages.⁹

As shown in Table 5, the estimated total annual cost to the Federal Government of collecting and processing Form OCE-46 is \$35,076.

<https://www.nationalnotary.org/knowledge-center/about-notaries/notary-fees-by-state>

⁵ Consistent with the previous iteration of this ICR.

⁶ Average unit cost for a #10 envelop (4 1/8" x 9 1/2") box of 500. Five (5) brands were included to develop an average unit cost, they include: Office Max, Staples, AmazonBasics, ValBox, and Columbian.

⁷ U.S. Postal Service website accessed October 15 2019.

<https://www.usps.com/business/prices.htm>

⁸ Office of Personnel Management, (2019). 2019 General Schedule (Base) Pay Table [PDF]. Available at

https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS_h.pdf . Accessed October 22, 2019.

⁹ Consistent with other FMCSA ICRs.

Table 5. Estimated annualized costs to the Federal Government.

Number of Responses (A)	Hours per Response (B)	Total Burden Hours (C) = (A*B)	GS-7 (Step 3) Transportation Assistant Hourly Wage (D)	Employee Benefits (E)	Loaded Hourly Wage (F)=(D)+(D*E)	Total Annual Cost (rounded) (C*F)
5,901	0.25	1,475	\$18.58	28% (0.28)	\$23.78	\$35,076

Estimated Annual Cost to the Federal Government: \$35,076 [5,901 responses × 0.25 hours = 1,475 hours × \$23.78 per hour = \$35,076].

15. EXPLANATION OF PROGRAM CHANGES OR ADJUSTMENTS

For respondents, the program adjustment has resulted in increased total burden hours and an increase in respondent costs. The burden hour increase is due to an estimated increase in the number of annual filings of Form OCE-46 from 3,501 to 5,901 per year, resulting in an increase of 2,400 responses and 600 burden hours [1,475 proposed annual burden hours - 875 currently approved annual burden hours = 600].

The current iteration of this ICR includes estimated labor costs associated with submitting Form OCE-46. The previous iteration of this ICR did not include such an estimate; it only reported the estimated annual burden hours. This version adds these costs according to best practices. The estimated annual labor cost for industry resulting from submitting Form OCE-46 is \$49,527. The methodology used to arrive at this estimate is presented in detail in Item 12.

The total annual respondent cost has decreased by \$20,190 [\$16,610 proposed annual cost to respondents – \$36,800 currently approved annual costs = -\$20,190. This decrease is due to the fact that respondents may now file the form online, at no charge. While the online submission option exists, FMCSA still estimates that approximately 1,567 respondents will continue to file the form by mail, which incurs notarization and postage fees.

For the Federal Government, the program costs have increased by \$11,176. While this ICR revised the Federal labor wage load factor downward to be consistent with the methodology used in other FMCSA ICRs, the overall cost to the Federal Government increased due to the increase in the number of forms received by FMCSA.

16. PUBLICATION OF RESULTS OF DATA COLLECTION

The information collected is not intended for publication.

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

FMCSA does not request such approval.

18. EXCEPTIONS TO CERTIFICATION STATEMENT:

No exceptions to the certification statement are requested.

ATTACHMENTS:

- A. 49 U.S.C. 13902, Registration of motor carrier.
- B. 49 U.S.C. 13903, Registration of freight forwarders.
- C. 49 U.S.C. 13904, Registration of brokers.
- D. 49 U.S.C. 13905, Effective periods of registration.
- E. 60-day Federal Register notice (84 FR 69450) December 18, 2019.
- F. 30-day Federal Register notice (85 FR 22246) April 21, 2020.