

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

**SUPPORTING STATEMENT  
Commercial Driver Licensing and Testing Standards**

**SUMMARY**

- This is a request for approval to revise and renew an ICR titled, “Commercial Driver Licensing and Test Standards,” due to an increase in the number of commercial driver’s license records and the addition of one information collection item: “Driver completion of knowledge and skills tests 49 CFR 384.201.”
- This ICR is needed to ensure that drivers, motor carriers and the States are complying with notification and recordkeeping requirements for information related to testing, licensing, violations, convictions and disqualifications and that the information is accurate, complete and transmitted and recorded within certain time periods as required by the Commercial Motor Vehicle Safety Act of 1986 (CMVSA), as amended.
- The estimated annual burden for this information collection is 2,700,901 hours.

**INTRODUCTION**

This is to request the Office of Management and Budget’s (OMB’s) renewed three-year approved clearance for the information collection titled “Commercial Driver Licensing and Testing Standards” (OMB Control No. 2126-0011), which is currently due to expire on December 31, 2021. This Information Collection Request (ICR) is being updated, to account for the differences between the number of Commercial Driver’s License Information System (CDLIS) master pointer driver records and the number of active commercial driver’s license (CDL) holders.

This current submission includes all information collection requirements contained in title 49 CFR part 383, titled “Commercial Driver’s License Standards; Requirements and Penalties” (Attachment A) and title 49 CFR part 384 titled, “State Compliance with Commercial Driver’s License Program” (Attachment B).

**Part A. Justification**

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

The licensed drivers in the United States deserve reasonable assurances that their fellow motorists are properly qualified to drive the vehicles they operate. Before the Commercial Motor Vehicle Safety Act of 1986 (CMVSA or the Act) (Pub. L. No. 99 570, Title XII, 100 Stat. 3207-170, codified at 49 USC chapter 313) was signed by the President on October 27, 1986, 18 States and the District of Columbia authorized any person licensed to drive an automobile to also legally drive a large truck or bus. No special training or special license was required to drive these vehicles, even though it was widely recognized that operation of certain types of vehicles called for special skills, knowledge, and training. Even in the 32 States that had a classified driver licensing system in place, only 12 of these States required an applicant to take a skills test

in a representative vehicle. Equally serious was the problem of drivers possessing multiple driver licenses. By spreading their convictions among several States, CMV drivers could avoid punishment for their infringements, and stay behind the wheel.

The CMVSA addressed these problems by requiring the Federal government to act and place minimum standards on all jurisdictions including the District of Columbia. Section 12002 of the Act made it illegal for a CMV operator to have more than one driver's license. Section 12003 required the CMV driver conducting operations in commerce to notify both the designated State of licensure official and the driver's employer of any convictions of State or local laws relating to traffic control (except parking tickets). This section also required the promulgation of regulations to ensure each person who applies for employment as a CMV operator to notify prospective employers of all previous employment as a CMV operator for at least the previous 10 years.

In section 12005 of the Act, the Secretary of Transportation (Secretary) is required to develop minimum Federal standards for testing and licensing of operators of CMVs. Section 12007 of the Act also directed the Secretary, in cooperation with the States, to develop a clearinghouse to aid the States in implementing the one driver, one license, and one driving record requirement. This clearinghouse is known as the Commercial Driver's License Information System (CDLIS).

The CMVSA further required each person who has their CDL suspended, revoked or canceled by a State, or who is disqualified from operating a CMV for any period, to notify his or her employer of such actions. Drivers of CMVs must notify their employers within 1 business day of being notified of the license suspension, revocation, and cancellation, or of the lost right to operate or disqualification. These requirements are reflected in 49 CFR part 383, titled "Commercial Driver's License Standards; Requirements and Penalties." Specifically, section 383.21 prohibits a person from having more than one license; section 383.31 requires notification of convictions for driver violations; section 383.33 requires notification of driver's license suspensions; section 383.35 requires notification of previous employment; and section 383.37 outlines employer responsibilities. Section 383.111 requires the passing of a knowledge test by the driver and section 383.113 requires the passing of a skills test by the driver. Section 383.115 contains the requirement for the double/triple trailer endorsement; section 383.117 contains the requirement for the passenger endorsement; section 383.119 contains the requirement for the tank vehicle endorsement; and section 383.121 contains the requirement for the hazardous materials endorsement.

This information collection supports the Department of Transportation (DOT or Department) Strategic Goal of Safety by requiring that drivers of CMVs are properly licensed according to all applicable Federal requirements.

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

The 10-year employment history information supplied by the CDL holder to the employer upon application for employment (49 CFR 383.35) is used to assist the employer in meeting his/her responsibilities to ensure that the applicant does not have a history of safety-risk behavior.

State officials use the information collected on the license application form (49 CFR 383.71) that is posted to the CDLIS driver record, the information collected on the commercial learner's

permit (CLP) application form that is posted to the CDLIS driver record (49 CFR 383.71), and the conviction and disqualification data posted to the CDLIS driver record (49 CFR 383.73) to prevent ineligible, not-qualified, and/or disqualified CLP and CDL holders and applicants from operating commercial motor vehicles (CMVs) on the nation's highways. State officials are required to adopt and administer an FMCSA approved program for testing and ensuring the fitness of persons to operate a CMVs (49 CFR 384.201). State officials are also required to administer knowledge and skills tests to CDL driver applicants (49 CFR 384.202). The driver applicant is required to correctly answer at least 80 percent of the questions on each knowledge test in order to achieve a passing score on that test. To achieve a passing score on the skills test, the driver applicant must demonstrate that he/she can successfully perform all of the skills listed in the regulations. During State CDL compliance reviews, FMCSA officials review this information to ensure that the provisions of the regulations are being carried out. Without the aforementioned requirements, there would be no uniform control over driver licensing practices to prevent uncertified and/or disqualified drivers from being issued a CLP or CDL and to prevent unsafe drivers from spreading their convictions among several licenses in several States and remaining behind the wheel of a CMV. Failure to collect this information would render the regulations unenforceable.

Information submitted by the States will be used by FMCSA to determine if individual States substantially comply with section 12009(a) of the CMVSA [49 U.S.C. 31311(a)] (see section 12011(a) of CMVSA). The FMCSA reviews information submitted by the States and conducts such reviews, audits, and investigations of each State as it deems necessary to make compliance determinations for all States and the District of Columbia. If this information were not available, FMCSA would have no means of independently verifying State compliance.

The Foreign Conviction Withdrawal Database (FCWD) houses the convictions of Mexican and Canadian CDL holders, and other foreign drivers, received while operating a CMV within the United States. This enables FMCSA to impose the same conditions on Mexican and Canadian drivers as are imposed on U.S. drivers by the States. The system receives convictions from all jurisdictions within the United States for drivers holding a CDL from Mexico and Canada. This data, along with the data from eLicencia in Mexico or the Canadian licensing jurisdiction is combined to give a complete driving record to the requesting enforcement official.

Once the data is in the FCWD the same rules that are applied to U.S. drivers are imposed on Mexican and Canadian drivers. If a foreign commercial driver would have their driving privilege withdrawn for a U.S. conviction, then the conviction and withdrawal information is sent to the licensing jurisdiction in Mexico or Canada. Whenever a driver is checked through the CDLIS gateway (which includes Mexico and Canada via the FCWD), the current driving status returned to the requesting services would include a meshed version of the license status from Mexico or Canada and what is contained within the FCWD.

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

The Government Paperwork Elimination Act (GPEA) (enacted on October 21, 1998, Title XVII of Pub L No. 105-277, 112 Stat. 2681), requires that agencies provide for the option of electronic submission of information and the use of electronic signatures, when practicable. Currently, 49 States and the District of Columbia (98 percent of the jurisdictions) have the capability to electronically transmit 100 percent of the information that is required for the CDL program. The

51 jurisdictions use CDLIS as the means of capturing and exchanging data that is required by 49 CFR parts 383 and 384. CDLIS is a relational database that uses a central pointer or index with multiple distributed databases that allows the States and FMCSA to track the driver status and history of persons currently holding a valid CLP or CDL, as well as those persons who have been disqualified from operating CMVs that require the driver to have a valid CLP or CDL. This means that jurisdictions can obtain or send information regarding any CLP or CDL holder in a different jurisdiction by conducting a single inquiry and receiving an immediate response. There are over 16,000,000 CDLIS transactions annually. There are over 8,000 convictions submitted to the FCWD annually from U.S. jurisdictions, 50% of which are electronic submissions through CDLIS. Information concerning any convictions of a CLP or CDL holder or a person required to have a CDL is transmitted by the State where the driver obtained the conviction to the State of licensure or FCWD for a foreign driver. The State of licensure is to record the conviction on the driver's CDLIS driver record, thereby maintaining the intent of the CMVSA of one driver, one license and one driver record. The FCWD is to record the conviction on the foreign driver's FCWD conviction history, thereby ensuring foreign drivers are held to the same standards as U.S. drivers. CDLIS precludes the need for duplicate driver records to be maintained by both the State of licensure and the State of conviction. This information technology serves to reduce the amount of time that each individual State needs to comply with section 12009(a) of the CMVSA [49 U.S.C. 31311(a)]. Transaction data maintained by CDLIS is also used by FMCSA for verifying State compliance and by Federal and State enforcement officials in verifying the identity and driver license status of all CDL holders in carrying out security and enforcement actions.

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

The FMCSA is the only agency with the authority to regulate the testing and issuance of CLPs and CDLs and the information contained in CDLIS. While Transportation Security Administration (TSA) has the authority to make the determination that a person is a security risk and therefore must be denied a hazardous materials endorsement on his/her CDL, the State compliance with TSA requirements is administered by FMCSA as part of the State CDL compliance review process. Therefore, the auditing and compliance review process administered by FMCSA is not duplicative of any other information collections.

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

The regulatory and safety requirements for all CDL holders regardless of the size of the motor carrier they work for are the same. No information for the CDL program is collected from employers. The information needed to issue, renew, upgrade or transfer a CDL is collected directly from the driver applicant and any other State where the driver was previously licensed. All information contained on the driver record is obtained by the State of licensure from the driver applicant, States where the driver was previously licensed and States where the driver was convicted of a traffic control violation. All information needed by FMCSA to conduct auditing and compliance reviews of the States' CDL programs is obtained directly from the States or CDLIS.

The requirement under 49 CFR 383.73(b)(3)(iv) that States must request the complete driver record from all States where the driver applicant was previously licensed to drive any type of vehicle over the past 10 years reduces the burden on all employers, especially small businesses.

This requirement helps employers to employ only safe drivers by being able to obtain complete and accurate CDLIS driver history records from a single source, the current State of licensure.

Since the information needed to administer the CDL program is being collected directly from drivers and States, FMCSA believes the information collection impact on small businesses or other small entities is not significant.

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

Currently, most of the information a driver applicant must provide the State in order to be issued a CLP or CDL is only collected once, at the initial application for the CLP or CDL and is recorded on the CDLIS driver record. The driver is only required to update information no longer valid and self-certify his/her eligibility to continue holding a CLP or CDL when he/she renews the CLP or CDL. The renewal period for a CDL is set by the individual State based on the number of drivers in the State, budget and staff available to process the issuance of licenses. The average renewal period is currently 5 years.

Most of the information that a driver applicant must provide the State to be issued a CDL is collected when the driver applies for a CLP. This moves up the initial data collection point from the CDL application to the CLP application. The driver will only be required to update information that is no longer valid and self-certify his/her eligibility at the time of issuance of the CDL.

Drivers currently must report to their employer within 30 days of being convicted and disqualifications within one (1) business day of being notified of the driver's disqualification by their State of licensure. Less frequent reporting of convictions and disqualifications would expose the driving public to unsafe drivers for longer periods of time and would be counterproductive to FMCSA's efforts and goals to reduce CMV crashes and fatalities.

States are currently required to transmit out-of-State convictions to the State of licensure within 10 days of the conviction and disqualifications within 10 days of the disqualifying action. States are currently required to transmit convictions and withdrawals on foreign licensed drivers to the FCWD within 10 days of the conviction. The State of licensure is currently required to post convictions to the CDLIS driver record within 10 days of receiving an out-of-State conviction or, in the case of an in-State conviction, within 10 days of the conviction. The FCWD is held to the same standard as the States, in that the FCWD is required to post the conviction to the database within 10 days. Less frequent reporting of convictions and disqualifications would expose the driving public to unsafe drivers for longer periods of time and would be counterproductive to FMCSA's efforts and goals to reduce CMV crashes and fatalities.

The FMCSA currently performs a CDL Annual Program Review (APR) on a State annually to make compliance determinations for all States and the District of Columbia. In addition, a State is required to evaluate its own CDL program every year and send FMCSA a self-certification as to its current compliance with the Federal CDL requirements. In spite of these frequent reviews of State CDL programs, FMCSA continues to uncover new problems during each compliance review. Less frequent reviews would greatly reduce the safety benefits of the CDL program in preventing unsafe drivers from obtaining a CDL and efforts to remove problem drivers from the

nation's highways. It would also lead to a lack of national uniformity among the 51 jurisdictions with CDL programs.

## **7. SPECIAL CIRCUMSTANCES**

There are no special circumstances related to this information collection.

## **8. COMPLIANCE WITH 5 CFR 1320.8**

The FMCSA consults on a regular basis with the State driver licensing agencies (SDLAs) and the American Association of Motor Vehicle Administrators (AAMVA) during compliance reviews, meetings and working groups concerning the frequency of data collection, clarity of instructions and ways to minimize the burdens of recordkeeping. FMCSA also consults on a regular basis with motor carrier groups, driver organizations, and safety advocates through public forums and meetings.

On September 3, 2021, FMCSA published a notice in the Federal Register requesting public comments on the proposed revision of this information collection. One comment was received in response to the notice. The comment was filed jointly by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), Parents Against Tired Truckers (PATT), and their volunteers and requested FMCSA 1) add a minimum number of behind-the-wheel training hours to the entry level driver training regulations, 2) implement the Moving Ahead for Progress in the 21<sup>st</sup> Century (P.L. 112-141, MAP-21) mandate for a written proficiency exam for new motor carriers, and 3) include additional data collection elements based on those additions. This comment proposes changes to regulatory requirements, and not to the revision of the collection of information.

FMCSA contacted the commenters and notified them that their request is denied for two reasons. First, FMCSA noted that it will not be adding a minimum number of behind-the-wheel training hours to the entry level driver training regulations because there is no evidence that a certain amount of behind-the-wheel training has an impact on the safety performance of new drivers. FMCSA explained this in the Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators (81 FR 88732) federal register notice. Second, the MAP-21 mandate referenced does not pertain to CDLs and is not applicable to this information collection request.

The FMCSA published a second notice with a 30-day comment period that announced this information collection was being submitted 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**

Under U.S.C. §§ 31309(c) and 31106(e), the Secretary may provide CDLIS driver record information to various parties. The current policy was published in the Federal Register on January 13, 2005, (70 FR 2454), titled "Policy on Availability of Information from the Commercial Driver's License Information System" (Attachment M). This notice of policy

allows access to CDLIS driver record information by other Federal agencies that can provide the legal basis and need for the information and execute a Memorandum of Understanding (MOU) with the Department and/or FMCSA.

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

There are no questions of a sensitive nature.

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

The information collection burden consists of the following tasks and recordkeeping activities divided between information collections of drivers and information collections of SDLAs:

### **IC-1 CDL Driver Activities**

- IC-1.1 Driver notification of convictions/disqualifications to employer
- IC-1.2 Driver providing previous employment history to new employer
- IC-1.3 Driver completion of the CDL application form
- IC-1.4 Driver completion of knowledge and skills tests

### **IC-2: SDLA CDL Activities**

- IC-2.1 State recording of medical examiner's certificate information
- IC-2.2 State recording of self-certification of CMV operation
- IC-2.3 State verification of medical certification status
- IC-2.4 Annual State certification of compliance
- IC-2.5 State preparing for and participating in Annual Program Review
- IC-2.6 CDLIS/PDPS/State Recordkeeping
- IC-2.7 CDL Knowledge and Skills tests recordkeeping
- IC-2.8 Knowledge and skills test examiner certification

For the purposes of this ICR, the Agency derives its burden hour and burden hour cost estimates based on the following statistics:

- There were 16,052,181 active master pointer records (MPRs) in CDLIS in 2020.<sup>(1)</sup>
- There were 8,504,275 CDLs in force in 2020.<sup>(2)</sup> The Agency assumes that each of the 8,504,275 CDLs in force represents an active CDL holder.
- Approximately 406,793 drivers, or about 5% of active CDL holders, transferred their CDL to a different State in 2020.<sup>(3)</sup>
- Approximately 3,400,000 CDL holders engaged in interstate commerce in 2019.<sup>(4)</sup>
- There were approximately 338,664 new CDL drivers in 2020.<sup>(5)</sup>

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<sup>10</sup> Information collected by U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA) MC-ESL in February 2021 from the American Association of Motor Vehicles Administrators (AAMVA).

<sup>20</sup> Information collected from AAMVA by the U.S. DOT, FMCSA MC-ESL and analyzed by MC-P in February 2021.

<sup>30</sup> AAMVA, "CDLIS MPR Summary Report CD90.7.2 for CY2020 for all 51 CDLIS jurisdictions" (February 2021).

<sup>40</sup> U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), "2020 Pocket Guide to Large Truck and Bus Statistics." October 2020. Available at <https://www.fmcsa.dot.gov/safety/data-and-statistics/2020-pocket-guide-large-truck-and-bus-statistics>.

<sup>50</sup> AAMVA, "CDLIS MPR Summary Report CD90.7.2 for CY2020 for all 51 CDLIS jurisdictions" (February 2021).

Next, the Agency applies a growth rate of 0.224%<sup>(6)</sup> to the above statistics to obtain estimated respondent numbers listed in Table 1. It is important to note that totals in the following tables are products of unrounded components. This is done to ensure FMCSA provides an accurate estimate.

**Table 1. Estimations of Driver Populations**

Year	CDLIS Driver Records	Active CDL Drivers	Active Interstate CDL Holders	Active CDL Holder Transfer Drivers	New CDL Holders	Renewed CDL Holders
1 (2022)	16,124,175	9,029,538	3,422,899	408,617	340,183	1,805,908
2 (2023)	16,160,293	9,049,764	3,430,567	409,532	340,945	1,809,953
3 (2024)	16,196,493	9,070,036	3,438,251	410,450	341,709	1,814,007
Annualized	16,070,159	9,049,779	3,430,572	409,533	340,945	1,137,472

### **IC-1 CDL Driver Activities**

Driver activities include four parts: 1) notifying a motor carrier of any convictions or disqualifications; 2) providing previous employment history to a new employer; 3) completing the CDL application form; and 4) completing the knowledge test and skills test.

The FMCSA assumes these tasks will be carried out by individuals equivalent to a Heavy and Tractor-trailer Truck Driver (Standard Occupational Classification (SOC) Code 53-3032), Bus Drivers, School or Special Client (SOC Code 53-3022), and Bus Drivers, Transit and Intercity (SOC Code 53-3021). To create a composite loaded hourly wage, the Agency weighted the median hourly wage for each occupation by total employment, as displayed in Table 2, which resulted in a weighted hourly wage of \$31.34.

**Table 2. Composite Driver Base Hourly Wage Rate<sup>(7)</sup>**

Standard Occupation Classification (SOC) Code and Occupational Title	Total Drivers	% of Total Drivers	Median Hourly Base Wage	Weighted Hourly Base Wage	Fringe Benefits Rate	Weighted Average Hourly Cost
Heavy and Tractor Trailer drivers (53-3032)	1,856,130	73.1%	\$21.76	\$15.90	54.0%	\$24.49
Bus drivers, transit and intercity (53-3021)	179,510	7.1%	\$20.69	\$1.46	54.0%	\$2.25
Bus drivers, school and or special client (53-3022)	504,022	19.8%	\$15.07	\$2.99	54.0%	\$4.60
<b>Sum (composite base hourly wage rate)</b>						<b>\$31.34</b>

To arrive at a weighted hourly base wage, the Agency first estimated a load factor of 1.54 by dividing the total cost of compensation for private industry workers of the production, transportation, and material moving occupation group by the average cost of hourly wages and

<sup>60</sup> Bureau of Labor Statistics, “Employment Growth Projections (2019-2029).” Available at [data.bls.gov/projections/occupationProj](https://data.bls.gov/projections/occupationProj). The Agency created a composite growth rate for driver occupations typically or potentially requiring a CDL by weighting the compound annual growth rate in employment (2016-2026) for heavy and tractor-trailer truck drivers (Standard Occupational Classification (SOC) Code) 53-3032), bus drivers, school or special client (SOC Code 53-3022), and bus drivers, transit and intercity (SOC Code 53-3021) by total employment in each SOC in 2016.

<sup>70</sup> Bureau of Labor Statistics, “May 2019 National Occupational Employment and Wage Estimates United States.” Available at [www.bls.gov/oes/current/oes\\_nat.htm#53-0000](https://www.bls.gov/oes/current/oes_nat.htm#53-0000).



salaries as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation.<sup>(8)</sup>

**IC-1.1 Driver notification of convictions/disqualifications to employer [49 CFR 383.31 and 383.33]**

A driver is required to notify its motor carrier of any convictions or disqualifications. To estimate burden hour and burden costs associated with this task, the Agency relies on the statistics and estimations outline above as well as the following assumptions:

- A driver will average approximately 1 conviction every 3 years.
- A driver will spend approximately 10 minutes (0.167 hours) notifying a motor carrier of a conviction.
- If a conviction also causes a disqualification, the driver will notify the employer of both actions at the same time.

During the first year of this ICR, 3,009,846 drivers, or 19% of the 16,124,175 active CDL drivers, will receive a conviction. Each driver will spend 0.167 hours notifying the motor carrier of the conviction, which results in a total annual burden of 502,644 hours and an annual burden hour cost of \$15,752,872 (Table 3).

As detailed in Table 3, IC-1.1 results in approximately 3,016,593 drivers annually spending a total of 503,771 hours notifying motor carriers of convictions, at a cost of \$15,788,185.

**Table 3. Driver Notification of Convictions/Disqualifications to Employer (IC-1.1)**

Year	Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.34= f)
1	3,009,846	1	3,009,846	0.167	502,644	\$15,752,872
2	3,016,588	1	3,016,588	0.167	503,770	\$15,788,159
3	3,023,345	1	3,023,345	0.167	504,899	\$15,823,524
Total	9,049,779	-	9,049,779	-	1,511,313	\$47,364,555
Annualized	3,016,593	-	3,016,593	-	503,771	\$15,788,185

Totals are the product of unrounded components.

The currently approved total burden for driver notification of convictions/disqualifications to employers is 473,577 hours. The new total of 503,771 represents an increase of 30,194 hours. This is due to an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

**IC-1.2 Driver providing previous employment history to new employer [49 CFR 383.35]**

In addition to 3 years of employment history required of all drivers, a CDL driver is required to provide on a form a further 7 years of employment history when applying to a company as a

<sup>80</sup> Bureau of Labor Statistics, “Table 1. Civilian workers, by major occupational and industry group.” Available at [www.bls.gov/news.release/ecec.t01.htm](http://www.bls.gov/news.release/ecec.t01.htm).

CDL driver. To estimate burden hour and burden costs associated with this task, the Agency relies on the statistics and estimations outline above as well as the following assumptions:

- The annual turnover rate of all active CDL holder is approximately 14%.
- A CDL driver will spend approximately 15 minutes (0.25 hours) completing the additional 7 years of employment history.

During the first year of this ICR, 1,264,135 drivers (9,029,538 active CDL drivers × 14% turnover), will spend a total of 316,034 hours (1,264,135 drivers × 0.25 hours per driver) providing an additional 7 years of employment history, resulting in an annual burden hour cost of \$9,904,500 (316,034 hours × \$31.34 per hour) (Table 4).

As detailed in Table 4, IC-1.2 results in approximately 1,266,969 drivers annually spending a total of 316,742 hours completing an additional 7 years of employment history, at a cost of \$9,926,703.

**Table 4. Driver Providing Previous Employment History to New Employer (IC-1.2)**

Year	Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.34 = f)
1	1,264,135	1	1,264,135	0.25	316,034	\$9,904,500
2	1,266,967	1	1,266,967	0.25	316,742	\$9,926,687
3	1,269,805	1	1,269,805	0.25	317,451	\$9,948,922
Total	3,800,907	-	3,800,907	-	950,227	\$29,780,109
Annualized	1,266,969	-	1,266,969	-	316,742	\$9,926,703

Totals are the product of unrounded components.

The currently approved total burden for drivers providing previous employment history to a new employer is 297,758 hours. The new total of 316,742 represents an increase of 18,984 hours. This is due to an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

### **IC-1.3 Driver completion of the CDL application form [49 CFR 383.71]**

To obtain, transfer, or renew a CDL, an individual is required to provide certain information. To estimate burden hour and burden costs associated with this task, the Agency relies on the statistics and estimations outlined above as well as the following assumptions:

- CDL applicants, transfer drivers, and drivers renewing their CDL require approximately 1 minute (0.017 hours) to complete the CDL portion of the driver’s license application form.
- On average, CDLs are renewed every 5 years.

During the first year of this ICR, 340,183 new drivers, 408,617 transfer drivers, and 1,805,908 drivers renewing their CDL that will each spend 1 minute completing the CDL application form (see Table 1). This results in a total of 2,554,707 respondents (340,183 + 408,617 + 1,805,908) and 43,430 burden hours (2,554,707 × 0.017 hours), at a cost of \$1,361,097 (43,430 hours × \$31.34 per hour).

As detailed in Table 5, IC-1.3 results in approximately 2,560,434 drivers annually spending a total of 43,527 hours completing the CDL application form, at a cost of \$1,364,148.

**Table 5. Driver Completion of The CDL Application Form (IC-1.3)**

Year	Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.34 = f)
1	2,554,707	1	2,554,707	0.017	43,430	\$1,361,097
2	2,560,430	1	2,560,430	0.017	43,527	\$1,364,146
3	2,566,165	1	2,566,165	0.017	43,625	\$1,367,202
Total	7,681,303	-	7,681,303	-	130,582	\$4,092,444
Annualized	2,560,434	-	2,560,434	-	43,527	\$1,364,148

Totals are the product of unrounded components.

The currently approved total burden for drivers completing the CDL application form is 40,719 hours. The new total of 43,527 represents an increase of 1,808 hours. This is due to an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

#### IC-1.4 Driver completion of knowledge and skills tests [49 CFR 383.71(a)(2)(ii) and (b)(2)]

CDL applicants are required to complete a knowledge test and a skills test. To estimate burden hour and burden costs associated with this task, the Agency relies on the statistics and estimations outline above as well as the following assumptions:

- Approximately 25 percent of applicants fail the CDL knowledge and skills tests the first time they take the tests.<sup>(9)</sup>
- All applicants who fail the exam will retake and pass the test.
- An applicant will spend approximately 45 minutes (0.75 hours) completing the knowledge test.
- An applicant will spend approximately 90 minutes (1.5 hours) completing the skills test.

During the first year of this ICR, 425,229 driver applicants will attempt the knowledge test. Approximately 25 percent will fail and retake the test, resulting in 531,536 responses (425,229 × 1.25) and 398,652 burden hours (531,536 × 0.75 hours), at a cost of \$12,493,746 (398,652 × \$31.34 per hour) (Table 6).

**Table 6. Driver Completion of Knowledge Test**

Year	Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.34 = f)
1	425,229	1.25	531,536	0.75	398,652	\$12,493,746
2	426,181	1.25	532,726	0.75	399,545	\$12,521,732
3	427,136	1.25	533,920	0.75	400,440	\$12,549,780
Total	1,278,545	-	1,598,182	-	1,198,636	\$37,565,258
Annualized	426,182	-	532,727	-	399,545	\$12,521,753

<sup>90</sup> Government Accountability Office, “Commercial Driver’s Licensing: Federal Oversight of State Programs Could be Improved.” Available at [www.gao.gov/products/GAO-15-607](http://www.gao.gov/products/GAO-15-607) (accessed March 1, 2018). The GAO notes that of the 50 licensing agencies surveyed, 31 “reported that, in 2014, between 20 and 50 percent of applicants failed the test on their first attempt.” FMCSA believes the assumption of a 25% failure rate is reasonable considering the average skills failure rate when taking into account tests that allow banking (19%) and tests that don’t allow banking (28%), and when looking at states using only state testing locations vs allowing third-party sites, the mean failure rate came out to 22%.

Totals are the product of unrounded components.

During the first year of this ICR, 425,229 driver applicants will attempt the skills test. Approximately 25 percent will fail and retake the test, resulting in 531,536 responses ( $425,229 \times 1.25$ ) and 797,303 burden hours ( $531,536 \times 1.5$  hours), at a cost of \$24,987,492 ( $797,303 \times \$31.34$  per hour) (Table 7).

**Table 7. Driver Completion of Skills Test**

Year	Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.34 = f)
1	425,229	1.25	531,536	1.50	797,303	\$24,987,492
2	426,181	1.25	532,726	1.50	799,089	\$25,043,464
3	427,136	1.25	533,920	1.50	800,879	\$25,099,561
Total	1,278,545	-	1,598,182	-	2,397,272	\$75,130,516
Annualized	426,182	-	532,727	-	799,091	\$25,043,505

Totals are the product of unrounded components.

The knowledge and skills tests combined will result in an annualized total of 1,065,454 responses ( $532,727 + 532,727$ ) and 1,198,636 ( $399,545 + 799,091$ ) burden hours, at a cost of \$37,565,258 ( $\$12,521,753 + \$25,043,505$ ) (Table 8).

**Table 8. Annualized Driver Completion of Knowledge and Skills Test (IC-1.4)**

Test	Respondents	Responses	Total Burden Hours	Total Burden Hour Cost
Knowledge	426,182	532,727	399,545	\$12,521,753
Skills	426,182	532,727	799,091	\$25,043,505
Total	852,364	1,065,454	1,198,636	\$37,565,258

Totals are the product of unrounded components.

The currently approved total burden for drivers completing the knowledge and skills tests is 1,591,194 hours. The new total of 1,198,636 represents a decrease of 392,558 hours. This is attributed to the Agency decreasing the estimated failure rate from 50% to 25%, due to the availability of additional information.

### Estimated Burden for IC-1 CDL Driver Activities

Annualized over the three years covered by this ICR, the Agency estimates the four tasks included in IC-1 will result in 7,909,450 responses and 2,062,676 burden hours, and a \$64,644,294 cost to respondents (Table 9).

**Table 9. Annualized Respondents, Responses, Burden Hours, and Burden Hour Cost for IC-1**

Information Collection	Respondents	Responses	Burden Hours	Burden Hour Cost
IC-1.1 Driver notification of convictions/disqualifications to employer	3,016,593	3,016,593	503,771	\$15,788,185

IC-1.2 Driver providing previous employment history to new employer	1,266,969	1,266,969	316,742	\$9,926,703
IC-1.3 Driver completion of the CDL application form	2,560,434	2,560,434	43,527	\$1,364,148
IC-1.4 Driver completion of knowledge and skills tests	852,364	1,065,454	1,198,636	\$37,565,258
Total	7,696,360	7,909,450	2,062,676	\$64,644,294

Estimated Annual Number of Respondents for IC-1: 7,696,360.

Estimated Annual Number of Responses for IC-1: 7,909,450.

Estimated Total Annual Burden Hours for IC-1: 2,062,676.

Estimated Annual Burden Hour Cost for IC-1: \$64,644,294.

## IC-2 State Driver Licensing Agency CDL Activities

SDLA activities include: 1) recording of medical examiner’s certificate information; 2) recording of self-certification of CMV operation; 3) verification of medical certification status; 4) annual State certification of compliance; 5) preparing for and participating in Annual Program Review; 6) CDLIS/Problem Driver Pointer System (PDPS)/State Recordkeeping; 7) CDL knowledge and skills tests recordkeeping; and 8) knowledge and skills test examiner certification.

FMCSA assumes these tasks will be carried out by individuals equivalent to Information and Record Clerks (SOC Code 43-9061), Court, Municipal, and License Clerks (SOC Code 43-4031), and First-Line Supervisors of Office and Administrative Support Workers (SOC Code 43-1011) in the Federal, State, and Local Government, excluding state and local schools and hospitals and the U.S. Postal Service (OES Designation) (NAICS 999000). The median hourly wage rates for these occupations are displayed in Table 10.<sup>(10)</sup>

To arrive at loaded hourly wage rates for each occupation, the Agency first estimated a load factor of 1.54 by dividing the total cost of compensation for state and local government workers by the average cost of hourly wages and salaries as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation for December 2020.<sup>(11)</sup> Multiplying the mean hourly wage by the load factor results in loaded hourly wages displayed in Table 10.

**Table 10. Respondent Wage Rates for SDLA CDL Activities**

SOC Code	Occupational Title	Median Hourly Wage	Loaded Hourly Wage
43-4000	Information and Record Clerks	\$21.63	\$33.31
43-4031	Court, Municipal, and License Clerks	\$20.21	\$31.12
43-1011	First-Line Supervisors of Office and Administrative Support Workers	\$28.64	\$44.11

### IC-2.1 State recording of medical examiner’s certificate information [49 CFR 383.73(b)(5) and (o)]

A State must record a medical examiner’s certificate information on the driver’s record when a new CDL is issued to an individual who intends to be engaged in interstate commerce and when

<sup>100</sup> Bureau of Labor Statistics, “May 2020 National Occupational Employment and Wage Estimates United States: NAICS 999000 - Federal, State, and Local Government, excluding state and local schools and hospitals and the U.S. Postal Service (OES Designation).” Available at [www.bls.gov/oes/current/naics3\\_999000.htm](http://www.bls.gov/oes/current/naics3_999000.htm).

<sup>110</sup> Bureau of Labor Statistics, “Table 3. State and local government, by major occupational and industry group.” [www.bls.gov/news.release/ecec.t03.htm](http://www.bls.gov/news.release/ecec.t03.htm).

an existing CDL holder engaged in interstate commerce renews and submits a copy of their medical examiner’s certificate to the State. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- Approximately 50% of new drivers who obtain a CDL will be engaged in interstate commerce.<sup>(12)</sup> Note that some of these drivers may be “excepted” from the medical certification requirements under §§ 390.3(f), 391.2 or 392.68, but FMCSA does not have any data on excepted drivers so our estimates here include them. Therefore, the Agency is using the worst-case scenario that assumes all interstate CDL drivers need a medical examiner’s certificate.
- Approximately 55% of interstate CDL holders will renew their medical certification every 2 years.
- Approximately 45% of interstate CDL holders will renew their medical certification every year as a condition of a medical variance (i.e., an exemption, Skill Performance Evaluation (SPE) certificate or pilot program) or their employer requires another examination.
- An SDLA employee equivalent to an information and record clerk (SOC Code 43-4000) will perform this task at a loaded hourly wage of \$33.31. (Table 10)
- An estimated 249 SDLA employees from the 50 States and the District of Columbia undertake this task.
- An SDLA employee will spend approximately 2 minutes (0.033 hours) recording the medical examiner’s certificate information on the CDLIS driver record.

During the first year of this ICR, 249 State information and record clerks will record medical examiner’s certificate information for 2,727,290 new CDL drivers and existing interstate CDL drivers, resulting in 2,727,290 responses and 90,001 burden hours, at a cost of \$2,997,937.

Annualized, IC-2.1 results in approximately 2,733,404 responses totaling 90,202 burden hours at a cost of \$3,004,657 (Table 11).

**Table 11. State Recording of Medical Examiner’s Certificate Information (IC-2.1)**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	10,953	2,727,290	0.033	90,001	\$2,997,937
2	249	10,978	2,733,399	0.033	90,202	\$3,004,652
3	249	11,002	2,739,522	0.033	90,404	\$3,011,383
Total	747	-	8,200,211	-	270,607	\$9,013,972
Annualized	249	-	2,733,404	-	90,202	\$3,004,657

Totals are the product of unrounded components.

The currently approved total burden for State recording of medical examiner’s certificate information is 80,344 hours. The new total of 90,202 represents an increase of 9,858 hours due to an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

<sup>120</sup> U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), “2020 Pocket Guide to Large Truck and Bus Statistics.” Available at [www.fmcsa.dot.gov/safety/data-and-statistics/commercial-motor-vehicle-facts](http://www.fmcsa.dot.gov/safety/data-and-statistics/commercial-motor-vehicle-facts).

### IC-2.2 State recording of the self-certification of CMV operation [49 CFR 383.71(a)]

All CDL holders must have their self-certification of CMV operation information recorded on their CDLIS driver record as either “non-excepted interstate,” “excepted interstate,” “non-excepted intrastate,” or “excepted intrastate.” Only CDL holders subject to part 391 (non-excepted, interstate drivers) [49 CFR 383.71(h)] would be required to submit a medical examiner’s certificate to the State driver licensing agency. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- On average, CDL drivers will self-certify every 5 years.
- It takes approximately 5 seconds (0.001389 hours) for an SDLA to record the medical certification status information on the CDLIS driver record.
- An SDLA employee equivalent to an information and record clerk (SOC Code 43-4000) will perform this task at a loaded hourly wage of \$33.31.
- An estimated 249 SDLA employees from the 50 States and the District of Columbia undertake this task.

During the first year of this ICR, a State employee will record self-certifications for 2,146,090 new CDL drivers and existing drivers, resulting in 2,146,090 responses and 2,981 burden hours, at a cost of \$99,287.

Annualized, IC-2.2 results in approximately 2,150,901 responses totaling 2,987 burden hours at a cost of \$99,510 (Table 12).

**Table 12. State Recording of the Self-Certification of CMV Operation (IC-2.2)**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	8,619	2,146,090	0.001389	2,981	\$99,287
2	249	8,638	2,150,898	0.001389	2,987	\$99,509
3	249	8,657	2,155,716	0.001389	2,994	\$99,732
Total	747	-	6,452,704	-	8,962	\$298,529
Annualized	249	-	2,150,901	-	2,987	\$99,510

Totals are the product of unrounded components.

The currently approved total burden for State recording of self-certifications is 3,018 hours. The new total of 2,987 represents a decrease of 31 hours due to the decrease of the growth rate explained in footnote (6) of IC-1.

### IC-2.3 State verification of medical certification status [49 CFR 383.73(a)-(d)]

States must verify only medical certification status information of CDL holders subject to part 391 (active interstate CDL holders and transfer drivers) at the time of medical certification renewal because they are the only drivers required to be medically certified. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- Approximately 69% of interstate CDL holders will renew their medical certification every 2 years.
- Approximately 31% of interstate CDL holders will renew their medical certification every year as a condition of a medical variance (i.e., an exemption, Skill Performance Evaluation (SPE) certificate or pilot program) or their employer requires another examination.
- An SDLA employee equivalent to an information and record clerk (SOC Code 43-4000) will perform this task at a loaded hourly wage of \$33.31.
- An estimated 249 SDLA employees from the 50 States and the District of Columbia undertake this task.
- It takes approximately 5 seconds (0.001389 hours) for an SDLA to record the medical certification status information on the CDLIS driver record.

During the first year of this ICR, 249 SDLA employees will record medical examiner's certificate information for 3,829,692 existing drivers and transfer drivers, resulting in 3,829,692 responses and 5,319 burden hours, at a cost of \$177,177.

Annualized, IC-2.3 results in approximately 3,837,365 responses totaling 5,330 burden hours at a cost of \$177,532 (Table 13).

**Table 13. State Verification of Medical Certification Status (IC-2.3)**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	15,380	3,829,692	0.001389	5,319	\$177,177
2	249	15,411	3,837,359	0.001389	5,330	\$177,532
3	249	15,442	3,845,043	0.001389	5,340	\$177,888
Total	747	-	11,512,094	-	15,989	\$532,597
Annualized	249	-	3,837,365	-	5,330	\$177,532

Totals are the product of unrounded components.

The currently approved total burden for State verification of medical certification status is 3,180 hours. The new total of 5,330 represents an increase of 2,150 hours. On December 6, 2008, a new final rule titled Medical Certification Requirements as Part of the CDL, modifying 49 CFR parts 383, 384, 390, and 391, required all interstate CDL holders subject to the physical qualification requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) to provide a current original or copy of their medical examiner's certificates to their SDLA. As a result, the Agency made an adjustment to the estimate of the number of drivers affected, given the availability of more accurate and recent data, and a program change. The program change,



regarding the requirement that a State verify medical certification status at the time of certification renewal rather than CDL renewal, increased the frequency of State verification. The increase is in line with the implementation of this rule, and an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

**IC-2.4 Annual State certification of compliance [49 CFR 384.305]**

On an annual basis, all 50 States and the District of Columbia must complete compliance documents for FMCSA officials to review and ensure that the provisions of the regulations are being carried out by the State. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- An SDLA employee equivalent to a first-line supervisor of office and administrative support workers (SOC 43-1011) will perform this task at a loaded hourly wage of \$44.11.
- It takes an estimated average of 32 hours to fill out compliance documents.

Annualized, IC-2.4 results in 51 responses (50 States + District of Columbia) and 1,632 burden hours, at a cost of \$71,980 (Table 14).

**Table 14. Annual State Certification of Compliance (IC-2.4)**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$44.11 = f)
1	51	1	51	32	1,632	\$71,980
2	51	1	51	32	1,632	\$71,980
3	51	1	51	32	1,632	\$71,980
Total	153	-	153	-	4,896	\$215,941
Annualized	51	-	51	-	1,632	\$71,980

Totals are the product of unrounded components.

The burden hours for IC-2.4 remain constant at 1,632 hours.

**IC-2.5 State preparing for and participating in annual program review [49 CFR 384.307]**

Each State and the District of Columbia conducts an annual CDL program review. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- Approximately 5 State staff are involved in the review process.
- Each State staffer will spend 5 days, or 40 hours (5 days × 8 hours per day) completing the annual program review: 3 days to prepare and 2 days to participate in the review.
- A State employee equivalent to a first-line Supervisor of office and administrative support workers (SOC 43-1011) will perform this task at a loaded hourly wage of \$44.11 (see Table 10).

Annualized, IC-2.5 results in 51 responses (50 States + District of Columbia), 255 respondents (51 responses × 5 employees per response) and 10,200 burden hours (51 × 5 employees per state × 40 hours), at a cost of \$449,877 (Table 15).

**Table 15. State Preparing for and Participating in Annual Program Review (IC-2.5)**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$44.11 = f)
1	255	0.2	51	200	10,200	\$449,877
2	255	0.2	51	200	10,200	\$449,877
3	255	0.2	51	200	10,200	\$449,877
Total	765	-	153	-	30,600	\$1,349,631
Annualized	255	-	51	-	10,200	\$449,877

Totals are the product of unrounded components.

The burden hours for IC-2.4 remain constant at 10,200 hours.

### IC-2.6 CDLIS/PDPS/State recordkeeping [49 CFR 384.231 and 384.232]

The 50 States and the District of Columbia are required to enter data into CDLIS and to perform recordkeeping actions for certain activities including: creating a new driver record, renewing driver CDLs, transferring driver records to a different state, entering convictions and disqualifications, and checking U.S. citizen or resident alien status for drivers renewing their CDL with a hazardous materials endorsement. The FMCSA serves as the 52<sup>nd</sup> State to enter convictions for foreign drivers sent by the 50 States and the District of Columbia into the FCWD (a subsystem of CDLIS) and perform recordkeeping actions for certain activities including: entering U.S. convictions for foreign drivers and FCWD disqualifications and reinstatements for a foreign driver's operating privileges in the United States. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following assumptions:

- On average, CDLs are renewed every 5 years.
- A CDL driver averages approximately 1 conviction every 3 years.
- Approximately 25% of convictions result in a disqualification.
- Approximately 26% of active driver records have a hazardous materials endorsement.
- An SDLA employee equivalent to an information and record clerk (SOC Code 43-4000) will perform recordkeeping tasks at a loaded hourly wage of \$33.31.
- An estimated 249 SDLA employees from the 50 States and the District of Columbia undertake this task.
- An SDLA employee will spend approximately 2 minutes (0.033 hours) per response performing recordkeeping activities.

During the first year of this ICR, 249 SDLAs will undertake recordkeeping activities for 8,659,108 records. This results in 288,637 burden hours at a cost of \$9,614,554.

As detailed in Table 16, IC-2.6 results in an average of approximately 8,677,607 responses requiring 289,254 hours, at a cost of \$9,635,094.

**Table 16. CDLIS/PDPS/State Recordkeeping (IC-2.6)**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	34,776	8,659,108	0.033	288,637	\$9,614,554

2	249	34,850	8,677,593	0.033	289,253	\$9,635,079
3	249	34,924	8,696,120	0.033	289,871	\$9,655,650
Total	747	-	26,032,821	-	867,761	\$28,905,283
Annualized	249	-	8,677,607	-	289,254	\$9,635,094

Totals are the product of unrounded components.

The currently approved total burden for CDLIS/PDPS/State recordkeeping is 214,548 hours. The new total of 289,254 represents an increase of 74,706 hours. This is due to an increase in the estimated number of active CDL drivers, a result of the availability of more accurate and recent data.

### IC-2.7 CDL knowledge and skills tests recordkeeping [49 CFR 384.202]

SDLAs must record the results of every CDL knowledge test and every CDL skills test taken. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following:

- Approximately 25% of applicants fail the CDL knowledge and skills tests the first time they take the tests.<sup>(13)</sup>
- An SDLA employee equivalent to an information and record clerk (SOC 43-4000) will perform recordkeeping tasks at a loaded hourly wage of \$33.31.
- An estimated 249 SDLA employees from the 50 States and the District of Columbia record the results of the knowledge tests and skills tests.
- It takes an information and record clerk approximately 2 minutes (0.033 hours) per applicant to record the results of the CDL knowledge test.
- It takes an information and record clerk approximately 5 minutes (0.083 hours) per applicant to record the results of the CDL skills test.

As displayed in Table 17, during the first year of this ICR, there will be approximately 425,229 responses and 14,174 burden hours, at a cost of \$472,148.

**Table 17. CDL Knowledge Test Recordkeeping**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	1,708	425,229	0.033	14,174	\$472,148
2	249	1,712	426,181	0.033	14,206	\$473,206
3	249	1,715	427,136	0.033	14,238	\$474,266
Total	747	-	1,278,545	-	42,618	\$1,419,620
Annualized	249	-	426,182	-	14,206	\$473,206

Totals are the product of unrounded components.

Table 18 displays annual burden hours for recordkeeping activities related to the CDL skills test. During the first year of this ICR, there will be approximately 425,229 responses and 35,436 burden hours, at a cost of \$1,180,371.

<sup>130</sup> Id. at 9.

**Table 18. CDL Skills Test Recordkeeping**

Year	Number of Respondents (a)	Average Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	249	1,708	425,229	0.083	35,436	\$1,180,371
2	249	1,712	426,181	0.083	35,515	\$1,183,015
3	249	1,715	427,136	0.083	35,595	\$1,185,665
Total	747	-	1,278,545	-	106,545	\$3,549,050
Annualized	249	-	426,182	-	35,515	\$1,183,017

Totals are the product of unrounded components.

Knowledge and skills tests recordkeeping combined will result in an annualized total of 852,364 responses and 49,721 burden hours, at a cost of \$1,656,223 (Table 19).

**Table 19. Annualized Knowledge and Skills Test Recordkeeping (IC-2.7)**

Test	Respondents	Responses	Total Burden Hours	Total Burden Hour Cost
Knowledge	249	426,182	14,206	\$473,207
Skills	249	426,182	35,515	\$1,183,017
Total	489	852,364	49,721	\$1,656,223

Totals are the product of unrounded components.

The currently approved total burden for knowledge and skills test recordkeeping is 82,034 hours. The new total of 49,721 represents a decrease of 32,313 hours. This is due to a calculation correction.

### IC-2.8 Knowledge and skills test examiner certification [49 CFR § 384.228]

State and third-party knowledge and skills test examiner certification involves three tasks: training, background check, and recording of results. All knowledge and skills test examiners must successfully complete a formal CDL test examiner training course and examination before certifying them to administer CDL knowledge and skills tests. States are required to process and evaluate criminal background checks for each knowledge and skills test examiner. The results of training, certification, and criminal background checks must be recorded. To estimate burden hour and burden costs associated with this task, the Agency relies on the assumptions and statistics outlined above as well as the following:

- Per a survey conducted by AAMVA that 38 out of 51 jurisdictions answered there are estimated to be about 21,095 examiners that administer CDL tests.<sup>(14)</sup>
- Of the 21,095 trained and certified CDL examiners, 14,154 administer the knowledge test only.<sup>(15)</sup> The remaining 6,941 examiners administer both knowledge and skills tests.
- The knowledge-only test examiner training will take an estimated 20 hours to complete.
- The combined knowledge and skills test examiner training will take an estimated 40 hours to complete.
- CDL test examiners must successfully complete the formal CDL test examiner training course and examination every three years.

<sup>140</sup> Email from American Association of Motor Vehicle Administrators (AAMVA) to FMCSA on March 11, 2021.

<sup>150</sup> Id.

- A CDL test examiner equivalent to a court, municipal, and license clerk (SOC Code 43-4031) will complete the task of examiner skills and/or knowledge training and examination at a loaded hourly wage of \$31.12.
- A criminal background check on an examiner will take approximately 15 minutes (0.25 hours) to process and evaluate the results.
- It takes approximately 2 minutes (0.033 hours) to record results of examiner training, certification, and criminal background checks.
- An SDLA employee equivalent to an information and record clerk (SOC Code 43-4000) will process and evaluate criminal background checks and record results of examiner training, certification and criminal background checks at a loaded hourly wage of \$33.31.

Examiners that administer knowledge tests only will complete training and an examination every three years. As shown in Table 20, this results in an annual average of 4,718 responses (14,154 ÷ 3), 94,360 burden hours (4,818 × 20) and a burden hour cost of \$2,936,804 (94,360 × \$31.12).

**Table 20. Knowledge Test Examiner Training and Examination**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.12 = f)
1	4,718	1	4,718	20	94,360	\$2,936,804
2	4,718	1	4,718	20	94,360	\$2,936,804
3	4,718	1	4,718	20	94,360	\$2,936,804
Total	14,154	-	14,154	-	283,080	\$8,810,412
Annualized	4,718	-	4,718	-	94,360	\$2,936,804

Totals are the product of unrounded components.

The 6,941 examiners that administer knowledge and skills tests will complete training and an examination every three years. As Table 21 details, this results in 2,314 examiners (6,941 ÷ 3) annually spending a total of 92,547 hours, at a cost of \$2,880,367.

**Table 21. Knowledge and Skills Test Examiner Training and Examination**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$31.12 = f)
1	2,314	1	2,314	40	92,547	\$2,880,367
2	2,314	1	2,314	40	92,547	\$2,880,367
3	2,314	1	2,314	40	92,547	\$2,880,367
Total	6,941	-	6,941	-	277,640	\$8,641,101
Annualized	2,314	-	2,314	-	92,547	\$2,880,367

Totals are the product of unrounded components.

All 21,095 CDL examiners will have their criminal background check processed and evaluated at the time of their training and examination. As shown in Table 22, this results in 7,032 annual background checks (21,095 ÷ 3) and 1,758 burden hours, costing \$58,557.

**Table 22. Criminal Background Check Processing and Evaluation**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	7,032	1	7,032	0.25	1758	\$58,557
2	7,032	1	7,032	0.25	1758	\$58,557
3	7,032	1	7,032	0.25	1758	\$58,557
Total	21,095	-	21,095	-	5274	\$175,670
Annualized	7,032	-	7,032	-	1758	\$58,557

Totals are the product of unrounded components.

As shown in Table 23, the recording of training, certification, and criminal background check results will result in an annual average of 7,032 responses (21,095 ÷ 3) and 234 burden hours, costing \$7,808.

**Table 23. Recording of Training, Certification, and Criminal Background Check Results**

Year	Number of Respondents (a)	Responses per Respondent (b)	Total Annual Responses (a × b = c)	Burden Hours per Response (d)	Total Annual Burden Hours (c × d = e)	Total Annual Respondent Cost (e × \$33.31 = f)
1	7,032	1	7,032	0.033	234	\$7,808
2	7,032	1	7,032	0.033	234	\$7,808
3	7,032	1	7,032	0.033	234	\$7,808
Total	21,095	-	21,095	-	703	\$23,423
Annualized	7,032	-	7,032	-	234	\$7,808

Totals are the product of unrounded components.

These four tasks combined result in an annualized total of 21,095 responses and 188,899 burden hours, costing \$5,883,535 (Table 24).

**Table 24. Annualized Knowledge and Skills Test Examiner Certification (IC-2.8)**

Test	Respondents	Responses	Total Burden Hours	Total Burden Hour Cost
Examiner Knowledge Certification	4,718	4,718	94,360	\$2,936,804
Examiner Knowledge & Skills Certification	2,314	2,314	92,547	\$2,880,367
Process and evaluate criminal background check	7,032	7,032	1,758	\$58,557
Recordkeeping	7,032	7,032	234	\$7,808
Total	21,095	21,095	188,899	\$5,883,535

Totals are the product of unrounded components.

The currently approved total burden for knowledge and skills test examiner certification is 27,299 hours. The new total of 188,899 represents an increase of 161,600 hours. This is due to an increase in the number of State and third-party knowledge and skills test examiners, a result of the availability of more accurate and recent data.

### **Estimated Burden for IC-2 State Driver Licensing Agency CDL Activities**

Annualized over the three years covered by this ICR, the Agency estimates the eight tasks included in IC-2 will result in 18,272,837 responses and 638,225 burden hours, and a \$20,978,410 cost to respondents (Table 25).

**Table 25. Annualized Responses, Burden Hours, and Burden Hour Cost for IC-2**

Information Collection	Respondents	Responses	Burden Hours	Burden Hour Cost
IC-2.1 State Recording of Medical Examiner’s Certificate Information	249	2,733,404	90,202	\$3,004,657
IC-2.2 State recording of Self Certification of CMV Operation	249	2,150,901	2,987	\$99,510
IC-2.3 State Verification of Medical Certification Status	249	3,837,365	5,330	\$177,532
IC-2.4 Annual State Certification of Compliance	51	51	1,632	\$71,980
IC-2.5 State preparing for and participating in Annual Program Review	255	51	10,200	\$449,877
IC-2.6 CDLIS/PDPS/State Recordkeeping	249	8,677,607	289,254	\$9,635,094
IC-2.7 CDL knowledge and Skills Tests Recordkeeping	489	852,364	49,721	\$1,656,223
IC-2.8 Knowledge and Skills Test Examiner Certification	21,095	21,095	188,899	\$5,883,535
Total	22,886	18,272,837	638,225	\$20,978,410

Totals are the product of unrounded components.

Estimated Annual Number of Respondents for IC-2: 22,886.  
 Estimated Annual Number of Responses for IC-2: 18,272,837.  
 Estimated Total Annual Burden Hours for IC-2: 638,225.  
 Estimated Annual Burden Hour Cost for IC-2: \$20,978,410.

### Total Estimated Burden

The total annualized number of respondents, responses, burden hours, and burden hour cost for this ICR is detailed in Table 26.

**Table 26. Annualized Respondents, Responses, Burden Hours, and Burden Hour Cost for IC-1 and IC-2**

Information Collection	Respondents	Responses	Burden Hours	Burden Hour Cost
IC-1 CDL Driver Activities	7,696,360	7,909,450	2,062,676	\$114,731,305
IC-2 SDLA CDL Activities	22,886	18,272,837	638,225	\$20,978,410
Total	7,719,246	26,182,287	2,700,901	\$135,709,715

Totals are the product of unrounded components.

**Estimated Annual Number of Respondents:** 7,719,246 respondents.  
**Estimated Annual Number of Responses:** 26,182,287 responses.  
**Estimated Total Annual Burden:** 2,700,901 hours.  
**Estimated Annual Burden Hour Cost:** \$135,709,715.

## 13. ESTIMATE OF TOTAL ANNUAL COSTS TO RESPONDENTS

The Agency believes that there are no additional costs to the CDL drivers or to the SDLAs associated with this information collection.

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

FMCSA estimates the total annual cost to the Agency to run the State Compliance Records Enterprise (SCORE), the computer system and data base to monitor State compliance with the Federal CDL requirements, at \$451,464. The annual cost is based on a current vendor contract and includes the cost of the contracting officer’s representative (COR). It is estimated the COR will spend an average of 2 percent of their time on this project throughout the year. Hourly employee compensation for the COR is shown in Table 27.

**Table 27. Estimate of hourly employee compensation (Federal Government).<sup>16</sup>**

Federal Wage Series	Occupation	General Schedule Designation	Hourly Wage	Locality Benefit	Hourly Cost
2101	Transportation Specialist	13 Step 5	\$39.51	30.48%	\$56.31

The COR will spend approximately 3.2 hours a month on this project, which is equivalent to 38 hours over a year, or 26 annualized hours. This leads to an estimated annualized cost of \$1,386 (26 annualized hours x \$56.31 = \$1,464) which leads to a total cost of \$1,464 over a year (\$1,464 annualized x 1 year = \$1,464).

**Table 28. Estimated annualized and total cost of Federal Labor.**

Federal Wage Series	Occupation	General Schedule Designation	Yearly Hours Worked	Annualized Cost to Government	Total Cost to Government
2101	Transportation Specialist	13 Step 5	26	\$1,464	\$1,464

The FMCSA estimates the total annual cost to the Agency to run the FCWD, a subsystem of CDLIS that is used to perform recordkeeping actions for certain activities mentioned in IC-2.6, at \$3,124,448. The annual cost is based on a current vendor contract and includes the cost of the COR. It is estimated the COR will spend an average of 6 percent of their time on this project through the year. Hourly employee compensation for the COR is shown in Table 27.

**Table 29. Estimate of hourly employee compensation (Federal Government).**

Federal Wage Series	Occupation	General Schedule Designation	Hourly Wage	Locality Benefit	Hourly Cost
2101	Transportation Specialist	13 Step 5	\$39.51	30.48%	\$56.31

The COR will spend approximately 9.6 hours a month on this project, which is equivalent to 115 hours over a year, or 79 annualized hours. This leads to an estimated annualized cost of \$4,448 (79 annualized hours x \$56.31 = \$4,448) which leads to a total cost of \$4,448 over a year (\$4,448 annualized x 1 year = \$4,448)

<sup>16</sup> Office of Personnel Management, “2021 General Schedule (GS) Locality Pay Tables”. <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2021/general-schedule/>



**Table 30. Estimated annualized and total cost of Federal Labor.**

<b>Federal Wage Series</b>	<b>Occupation</b>	<b>General Schedule Designation</b>	<b>Yearly Hours Worked</b>	<b>Annualized Cost to Government</b>	<b>Total Cost to Government</b>
2101	Transportation Specialist	13 Step 5	79	\$4,448	\$4,448

In total, estimated cost to the federal government is \$3,575,912 (\$451,464 + \$3,124,448 = \$3,575,912).

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

The total annual burden hours decrease of 124,602 hours [2,700,901 proposed annual burden hours – 2,825,503 currently approved annual burden hours] is due to a program change and a calculation adjustment.

The program adjustments to this ICR include an increase in the number of CDL holders from 8,507,375 to 9,029,538, and an increase in the number of CDL examiners from 2,946 to 21,095. The increase in the number of CDL holders and examiners heavily impacted burden estimates for each component of IC-1, IC-2.1 through IC-2.3, IC-2.6, and IC-2.7. The adjustment of the number of CDL holders and CDL examiners prompted the availability of more accurate and recent data. In addition to the program adjustments, there were calculation adjustments made due to more accurate and recent data. Specifically, the failure rates of CDL applicants were changed from 50% to 25%, and the growth rate of new CDL holders was adjusted from .594% to .224%. The calculations impacted IC-1.4, IC-2.2, and IC-2.7.

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

The FMCSA will not publish the information collected.

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

The Agency is not seeking approval for not displaying the expiration date of OMB approval.

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

FMCSA would not request exceptions to the certification statement.

### **ATTACHMENTS:**

- A. 49 CFR part 383, titled “Commercial Driver's License Standards: Requirements and Penalties.”
- B. 49 CFR part 384 titled, “State Compliance with Commercial Driver’s License Program.”
- C. Commercial Motor Vehicle Safety Act of 1986 (CMVSA or the Act).

- D. Final Rule, “Commercial Driver’s License Standards Requirements and Penalties: CDL Program Improvements and Non-Communication Motor Vehicle Violations,” 67 FR 49742, July 31, 2002.
- E. Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Pub. L. 106-159, 113 Stat. 1748).
- F. Final Rule, “Medical Qualifications Requirements,” 73 FR 73096, December 1, 2008.
- G. Interim Final Rule, “Limitations on the Issuance of Commercial Driver’s Licenses with Hazardous Materials Endorsement,” 68 FR 23844, May 5, 2003.
- H. Section 1012 of the USA PATRIOT Act (Pub. L. 107-56).
- I. Pub. L. 105-178, 112 Stat. 107, June 9, 1998.
- J. Final Rule, “Commercial Driver’s License Testing and Commercial Learner’s Permit Standards,” 76 FR 26854, May 9, 2011.
- K. Section 4122 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU)(Pub. L. 109-59).
- L. Section 703 of the Security and Accountability For Every Port Act of 2006 (SAFE Port Act) (Pub. L. 109-347).
- M. Policy on Availability of Information from the Commercial Driver’s License Information System, January 13, 2005 (70 FR 2454).
- N. Agency Information Collection Activities; Revision of an Approved Information Collection Request: Commercial Driver Licensing and Test Standards (60-day notice), September 3, 2021 (86 FR 49595).
- O. Agency Information Collection Activities; Revision of an Approved Information Collection Request: Commercial Driver Licensing and Test Standards (30-day notice), December 6, 2021 (86 FR 69116).
- P. Section 32203 – “State Reporting of Foreign Commercial Driver Convictions” of the 2012 Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act, Subtitle B – Commercial Motor Vehicle Safety (Pub. L. 112-141)
- Q. Section 32204 – “Authority to Disqualify Foreign Commercial Drivers” of the 2012 Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act, Subtitle B – Commercial Motor Vehicle Safety (Pub. L. 112-141)