

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

**SUPPORTING STATEMENT
Inspection, Repair and Maintenance**

SUMMARY

- The Agency submits a currently-approved information collection request (ICR) renewal titled, “*Inspection, Repair and Maintenance*,” assigned OMB Control Number 2126-0003.
- In response to E.O. 13563, on August 18, 2020, the FMCSA revised this ICR due to new program requirements in a final rule titled “*Passenger Carrier No-Defect Driver Vehicle Inspection Report*” (85 FR 50787) (Attachment P). The final rule eliminated the requirement that drivers of passenger-carrying CMVs operating in interstate commerce submit, and motor carriers retain, DVIRs when the driver has neither found nor been made aware of any vehicle defects or deficiencies (no-defect DVIRs).
- This renewal includes updated data regarding the number of motor carriers subject to the Federal Motor Carrier Safety Regulations {FMCSRs), vehicle counts, inspections, and other underlying data used to estimate the total burden hours. As a result, as explained in section 12, the estimated annual burden hours have increased from 11,389,254 to 19,103,153 and the number of responses has increased from 290,365,605 to 512,200,507.

INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) submits this supporting statement to the Office of Management and Budget (OMB) because the Agency updates a currently-approved information collection request (ICR) titled, “*Inspection, Repair and Maintenance*,” assigned OMB Control Number 2126-0003. This ICR is currently scheduled to expire on December 31, 2023.

Part A. Justification.

1. Circumstances that make collection of information necessary:

This information collection supports DOT’s strategic goal of safety. The information collection ensures that motor carriers have adequate records to document the inspection, repair, and maintenance of their CMVs, and to ensure that adequate measures are taken to keep their CMVs in safe and proper operating condition at all times. Compliance with the inspection, repair, and maintenance regulations helps to reduce the likelihood of accidents attributable, in whole or in part, to the mechanical condition of the CMV.

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

The information is used by the FMCSA and State officials during compliance and enforcement activities to verify that a motor carrier (and, for intermodal equipment {IME}, an intermodal equipment provider (IEP)) has established an inspection, repair, and maintenance program for its equipment which meets the standards in part 396. During these activities, FMCSA and State officials and representatives examine the information to determine whether the motor carrier systematically inspects, repairs, and maintains all CMVs subject to its control. The systematic program must include routine inspections and maintenance. The program must also include reports of vehicle defects by drivers, thorough inspections at least once per year by qualified individuals, and performance of work on brakes by qualified employees.

It is generally recognized that there is a relationship between inspection, repair, and maintenance practices for CMVs and defect-related CMV accidents. CMVs are frequently operated in excess of 100,000 miles annually. Safety professionals, enforcement officials and personnel, and employees in the trucking and motorcoach industries recognize that documenting CMV inspection, repair, and maintenance is an important activity to the furtherance of highway safety. These records are also critically important in determining if a motor carrier's maintenance practices were causal factors in an accident.

3. Extent of automated information collection:

FMCSA does not require inspection, repair, and maintenance information to be submitted to the agency. Motor carriers and IEPs are required to maintain the equipment information at their facilities and to make the information available if requested during a compliance review or investigation. All records and documents required to be maintained may be electronically imaged and those records retained in lieu of the original record for the required retention period. Also, other records may be maintained in an electronic format provided the motor carrier can produce the information required by the regulations (January 4, 2011; 76 FR 411). Although 100% of the information could theoretically be collected electronically, FMCSA believes that only 5% is collected electronically. Zero percent (0%) of the information is submitted to the FMCSA.

4. Efforts to identify duplication:

FMCSA has identified periodic inspection requirements promulgated by other agencies. As of June 2023, periodic inspection programs of 22 States, the District of Columbia, the Alabama Liquefied Petroleum Gas Board, 10 Canadian Provinces, one Canadian Territory, and Mexico were identified as comparable to, or as effective as, the Federal periodic inspection requirements. Because they are comparable to the Federal requirements, as explained in section 12 below, the FMCSA's periodic inspection and the related recordkeeping are not required for motor carriers that comply with these

equivalent periodic inspection programs. FMCSA is not aware of any other duplicative standards or recordkeeping requirements that apply to motor carriers. Concerning the agency regulations for IEPs, FMCSA is aware of one State only – California – that actively regulates the inspection, repair, and maintenance of IME, although four other States — Illinois, Louisiana, New Jersey, and South Carolina — have regulations on the subject.

5. Efforts to minimize the burden on small businesses:

Currently, the recordkeeping requirements in 49 CFR part 396 are applicable only to motor carriers subject to the FMCSRs (49 CFR 390.3) (Attachment Q) and operating CMVs (as defined in 49 CFR § 390.5) (Attachment R). The Agency estimates that there are 757,652 motor carriers subject to the FMCSRs, including 708,941 interstate freight carriers, 10,268 interstate passenger carriers, and 38,443 intrastate hazardous materials (HM) carriers.¹ Each of these motor carriers operate vehicles that: (1) have a gross vehicle weight rating or gross weight of 10,001 pounds or more, or (2) are designed or used to transport more than 8 passengers (including the driver) for compensation, or (3) are designed or used to transport more than 15 passengers (including the driver), and is not used to transport passengers for compensation, or (4) are used to transport hazardous materials in a quantity requiring placarding of the vehicle. Inspection, repair, and maintenance records, therefore, are not required for vehicles with a gross vehicle weight rating or gross vehicle weight of 10,000 pounds or less (except trailers used in vehicle combinations with gross combination weight ratings of 10,001 or more pounds); vehicles designed or used to transport between 9 and 15 passengers (including the driver) not for direct compensation; and vehicles transporting non-placarded quantities of hazardous materials.

FMCSA estimates that 99.1 percent of regulated motor carriers are small businesses according to the Small Business Administration size standards.²

There are no recordkeeping requirements for CMVs leased by motor carriers for less than 30 days. Finally, private motor carriers of passengers (nonbusiness), driveaway-towaway operations, and motor carriers operating only one CMV are exempt from the DVIR

¹ The number of carriers in operation at any given time is subject to change, due to enforcement actions, business turnovers, and other factors. The number of intrastate HM carriers includes a few active intrastate non-HM carriers with HM activity that meets the Safety Measurement System (SMS) HM threshold definition. Carrier counts are estimates based on motor carriers in the Motor Carrier Management Information System (MCMIS) with recent activity, defined as those carriers that have had an inspection, a crash, an investigation, a safety audit, an FMCSA Motor Carrier Identification Report (Form MCS-150) update, a vehicle registration activity, or a Unified Carrier Registration (UCR) system payment activity in the past 3 years, or have current operating authority indicated in the FMCSA Licensing and Insurance (L&I) database. Beginning on November 1, 2013, FMCSA's Unified Registration System (URS) rule requires all regulated entities to update their registration information every 24 months. The Agency deactivates the U.S. Department of Transportation (USDOT) number of any carrier that fails to comply with the biennial update requirement. Data Source: MCMIS and SMS data snapshot as of December 31, 2021.

² See Table 7 – “Estimates of Numbers of Small Entities” in the final rule “Electronic Logging Devices and Hours of Service Supporting Documents” (80 FR 78292; December 16, 2015).

requirements in 49 CFR § 396.11. As of December 31, 2021, MCMIS lists 407,872 active motor carriers that operate only one CMV.

6. Impact of less frequent collection of information:

If the recordkeeping activities were required to be completed less frequently, it would greatly hinder the ability of FMCSA and State enforcement personnel to ascertain that CMVs are satisfactorily maintained. The timely documentation of CMV inspection, repair, and maintenance enables FMCSA and State enforcement personnel to evaluate a motor carrier's CMV maintenance program. FMCSA will also be able to check the current level of regulatory compliance of the carrier at any point in its maintenance schedule or program.

7. Special circumstances:

There are no special circumstances.

8. Compliance with 5 CFR 1320.8:

On September 25, 2023, FMCSA published a notice in the Federal Register with a 60-day public comment period to announce this request to update the information collection (88 FR 65764). The Agency received one comment from Whip Around in response to the notice. Whip Around provided general support for the ICR. However, Whip Around suggested the use of electronic recordkeeping to reduce the need for frequent inspection, repair, and maintenance.

While this comment does not impact the information collection, FMCSA agrees with Whip Around's assessment that the process of creating, obtaining, and retaining documents can be improved by digitizing and automating vehicle inspection, repairs, and maintenance recordkeeping. The Agency has actively pursued this objective, evident by the amendment on December 16, 2015 (80 FR 78292). This amendment established minimum performance and design standards for electronic logging devices (ELDs) related to hours-of-service (HOS), mandating their use for drivers preparing HOS records of duty status. The amendment aims to enhance CMV safety, reduce paperwork burdens for motor carriers and drivers, and improve compliance with applicable HOS rules by promoting the use of ELDs.

Additionally, on April 16, 2018 (83 FR 16210), FMCSA introduced amendments permitting the use of electronic records and signatures. This aligned, in part, with the Government Paperwork Elimination Act (GPEA) and the Electronic Signatures in Global and National Commerce Act (E-SIGN), as it only applies to those documents that FMCSA's regulations obligate entities or individuals to retain. The amendment also updated references to outdated recordkeeping and reporting methods throughout chapter III of subtitle B of title 49, Code of Federal Regulations (49 CFR parts 300–399) to make them technologically neutral.

FMCSA ongoing efforts include projects related to providing data electronically during

roadside inspections. One notable effort is the Operational Test of In-Motion CMV Inspections (Level VIII Inspections) in collaboration with the Commercial Vehicle Safety Alliance, as described by Whip Around. The project's goal is to transmit data through the vehicle's telematics to roadside inspectors while the vehicle is in motion. In addition to these efforts, the Agency will continue to pursue opportunities to increase safety and reduce the burden to motor carriers and CMV drivers.

9. Payments or gifts to respondents:

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

10. Assurance of confidentiality:

Most aspects of this information collection primarily involve recordkeeping requirements. The confidentiality concern does not apply to recordkeeping requirements since the motor carrier retains ownership of its records.

11. Justification for collection of sensitive information:

There are no questions of a sensitive nature.

12. Estimate of burden hours for information requested:

The current FMCSA estimate of the total annual hour burden of this information collection associated with systematic inspection, repair, and maintenance is 11,389,254 hours. The Agency estimates that the updates made in this renewal will increase this by approximately 7,713,899 hours, for an updated estimated burden of **19,103,153 hours**. A breakdown of this information collection burden follows:

Routine Inspection, Repair, and Maintenance Records

Section 396.3 of the FMCSRs requires every interstate motor carrier (except those operating CMVs designed or used to transport between 9 and 15 passengers, including the driver, not for direct compensation) to cause all CMVs subject to its control to be systematically inspected, repaired, and maintained. All CMVs, including power units (trucks, truck tractors, and passenger-carrying CMVs) and non-powered units (trailers, converter dollies, container chassis) are subject to the inspection, repair, and maintenance requirements. Generally, systematic means a regular or scheduled program to keep vehicles in a safe operating condition at all times. Section 396.3 does not specify inspection, repair, or maintenance intervals because such intervals are fleet specific and, in some instances, vehicle specific. The inspection, repair, and maintenance intervals are to be determined by the motor carrier. The requirements of §§396.11, 396.13, and 396.17 are in addition to the systematic inspection, repair, and maintenance required by §396.3.

FMCSA estimates there are 24 recordkeeping entries related to these activities on average per year for each CMV except intermodal chassis. Each entry would take approximately

2 minutes to record. In addition, items such as push-out windows, emergency doors, and emergency door marking lights in motorcoaches and school buses must be inspected at least every 90 days, or at least 4 times per year. There is one recordkeeping entry for each of the emergency exit inspections, for a total of 4 entries per year for each bus. Also, each entry concerning emergency exit inspections would take approximately 2 minutes. Because a typical intermodal chassis travels only several thousand miles per year, FMCSA has estimated that the equivalent of a quarterly inspection program is sufficient to satisfy the systematic inspection, repair, and maintenance requirement. From this, FMCSA estimates that there are 4 recordkeeping entries per year, and that each entry would take approximately 3 minutes to record.

According to the FMCSA Motor Carrier Management Information System (MCMIS)³, the following CMVs are subject to the FMCSRs:

- 5,132,101 power units
 - Includes 2,408,662 truck tractors for interstate freight carriers
 - Includes 37,022 truck tractors for intrastate HM carriers
 - Includes 39,278 motorcoaches
 - Includes 14,291 school buses (841 9-15 capacity school buses + 13,450 16+ capacity school buses)
- 13,648,466 non-power units
 - Includes 714,657 intermodal chassis⁴

The total hour burden of these records is calculated as follows:

Routine Inspection, Repair, and Maintenance Records Burden

IC1 = Burden for CMVs with 24 Entries/year

IC2 = Added Burden for Emergency Exit Tests on Motorcoaches and School Buses

IC3 = Burden for Intermodal Chassis

$$IC1 = [((\text{Number of Power Units}) + (\text{Number of Non-Power Units} - \text{Number of Intermodal Chassis})) \times (24 \text{ entries/year}) \times (2 \text{ minutes/entry}) \times (1 \text{ hour}/60 \text{ minutes})]$$

$$\text{Number of Respondents IC1} = (\text{Number of Power Units}) + (\text{Number of Non-Power Units} - \text{Number of Intermodal Chassis}) = (5,132,101) + (13,648,466 - 714,657) = 18,065,910$$

$$\text{Responses IC1} = (\text{Number of Respondents IC1}) \times (24 \text{ entries/year}) = (18,065,910) \times 24 = 433,581,840$$

$$IC1 = [(\text{Responses IC1}) \times (2 \text{ minutes/entry}) \times (1 \text{ hour}/60 \text{ minutes})]$$

$$IC1 = [(433,581,840) \times (2) \times (1/60)] = 14,452,728$$

³ Data Source: MCMIS and SMS data snapshot as of December 31, 2021.

⁴ Active chassis registered at year-end 2021 in IANA's Global Intermodal Equipment Registry (GIER).

IC2 = [(Number of Motorcoaches + Number of School Buses) x (4 emergency exit tests/vehicle/year) x (1 entry/test) x (2 minutes/entry) x (1 hour/60 minutes)]

Number of Respondents IC2 = (Number of Motorcoaches + Number of School Buses) = (39,278 + 14,291) = 53,569

Responses IC2 = (Number of Respondents IC2) x (4 emergency exit tests/vehicle/year) = (53,569) x (4) = 214,276

IC2 = [(Responses IC2) x (1 entry/test) x (2 minutes/entry) x (1 hour/60 minutes)]

IC2 = [(214,276) x (1) x (2) x (1/60)] = 7,143

IC3 = [(Number of Intermodal Chassis) x (4 entries/year) x (3 minutes/entry) x (1 hour/60 minutes)]

Number of Respondents IC3 = Number of Intermodal Chassis = 714,657

Responses IC3 = (Number of Respondents IC3) x (4 entries/year) = (714,657) x (4) = 2,858,628

IC3 = [(Responses IC3) x (3 minutes/entry) x (1 hour/60 minutes)]

IC3 = [(2,858,628) x (3) x (1/60)] = 142,931

Total Routine Inspection, Repair, and Maintenance Records Burden

= IC1 + IC2 + IC3 = [14,452,728] + [7,143] + [142,931] = **14,602,802 hours**

The currently approved total burden for routine inspection, repair, and maintenance records is 7,558,390 hours. The new total of **14,602,802 hours** represents an increase of 7,044,412 hours compared to the 7,558,390 hours of annual burden estimated in the currently approved ICR. The primary reason for the burden increase is that the number of Non-Power Units have almost doubled since the last information collection report published in 2020.

Driver Vehicle Inspection Reports

Section 396.11 of the FMCSRs requires every driver to prepare a written inspection report (DVIR) at the completion of each day's work on each CMV operated including passenger-carrying CMVs (except private motor carriers of passengers (nonbusiness))⁵, only if a defect or deficiency was discovered by or reported to the driver that would affect the safety of operation of the vehicle or result in its mechanical breakdown, except when his or her employing motor carrier operates only one CMV and for driveaway-towaway

⁵ See footnote 6 below.

operators⁶ (§ 396.11(a)(5)). FMCSA estimates the time for a driver to prepare a DVIR and provide a copy to his/her employing motor carrier is approximately 2.5 minutes (150 seconds) on average.

For each DVIR that lists any defect or deficiency, every motor carrier is required to certify on the original DVIR that the defect or deficiency has been repaired or that repair is unnecessary before the vehicle is operated again. FMCSA estimates that certification of corrective action takes 0.5 minutes (30 seconds).

Section 396.13 requires a driver to review the last DVIR and sign if defects or deficiencies were noted by the driver who prepared it, to acknowledge that the DVIR was reviewed before the vehicle is operated again and that there is a certification that repairs were made or were unnecessary. The Agency estimates that reviewing a previous DVIR takes 15 seconds, and an additional 5 seconds to sign it. From the above, the total burden per DVIR when a defect or deficiency is found is 200 seconds (2.5 minutes to prepare the DVIR and provide a copy to the motor carrier + 30 seconds for the motor carrier to certify corrective action + 15 seconds for a driver to review the previous DVIR + 5 seconds for a driver to review and sign the previous DVIR).

FMCSA estimates that drivers discover vehicle defects or deficiencies in 5 percent of inspections.

As noted above, FMCSA estimates that there are 407,872 interstate motor carriers operating one CMV, and such operations are excepted from the DVIR reporting requirement. Some CMVs are not operated on any given day. Consistent with previous estimates, we estimate that there is a 65% probability that a CMV will be operated on any given day. For days on which a CMV is not operated, no DVIR is required. For a tractor-trailer combination, only one DVIR is prepared. FMCSA estimates that 25% of tractor-trailer drivers operate an average of two vehicle combinations per day.

As a result of the December 2014 and August 2020 rules, which eliminated the requirement for CMV drivers operating in interstate commerce including those passenger-carrying CMVs, to submit – and motor carriers to retain – DVIRs when the driver has neither found nor been made aware of any vehicle defects or deficiencies, the burden associated with DVIRs is calculated as follows:

DVIR Burden

$$IC4 = \{[(\text{Number of Power Units}) + (\text{Number of truck-tractors (Total of Interstate Freight Carriers + Total of Intrastate HM Carriers)}) \times 25\% \text{ truck-tractor drivers that operate 2 vehicle combinations/day}] - (\text{Number of single-CMV operations})\} \times (65\% \text{ average daily use}) \times (365 \text{ days/year}) \times (5\% \text{ DVIRs with defects}) \times [(150 \text{ seconds to prepare DVIR} + 30$$

⁶ FMCSA does not have any way to estimate the number of interstate driveaway-towaway operations conducted per year. However, these operations constitute a very small fraction of the overall trip population, and given that FMCSA estimates that drivers discover vehicle defects or deficiencies in 5 percent of inspections, the number of burden hours associated with this small segment of the industry is considered to be negligible.

seconds certification of corrective action + 15 seconds for driver to review DVIR + 5 seconds for driver to sign DVIR)] x (1 hour/3600 seconds)}

Number of Respondents IC4 = (Number of Power Units) + (Number of truck-tractors (Total of Interstate Freight Carriers + Total of Intrastate HM Carriers) x 25% truck-tractor drivers that operate 2 vehicle combinations/day) – (Number of single-CMV operations) = (5,132,101) + ((2,445,684) X (0.25)) – (407,872) = 5,335,650

Responses IC4 = [Number of Respondents IC4] x (65% average daily use) x (365 days/year) x (5% DVIRs with defects) = [5,335,650] x (0.65) x (365) x (0.05) = 63,294,148

IC4 = {(Responses IC4) x [(150 seconds to prepare DVIR + 30 seconds certification of corrective action + 15 seconds for driver to review DVIR + 5 seconds for driver to sign DVIR)] x (1 hour/3600 seconds)}

IC4 = {(63,294,148) x (200) x (1/3600)} = 3,516,342

Total DVIR Burden

= IC4 = 3,516,342 = **3,516,342 hours**

The currently approved annual burden for DVIRs is **3,134,875** hours. The new total of **3,516,342 hours** represents an increase of hours compared to the hours of annual burden estimated in the currently approved ICR primarily driven by a significant increase in both intrastate HM carriers and single CMV operations.

Disposition of Roadside Inspection Reports

The driver of any CMV on which a roadside inspection is performed must deliver the inspection report to his/her employing motor carrier. If the driver is not scheduled to return or arrive at the motor carrier's facility or terminal within 24 hours, the driver must mail or otherwise transmit the roadside inspection report to the motor carrier. Upon receiving the report, the motor carrier must examine it, ensure that all noted violations and defects are corrected, certify that the violations have been corrected, and return the completed report to the agency that issued it. (Generally, this would be a State agency that is an FMCSA Motor Carrier Safety Assistance Program grantee.) If the report has no noted violations or defects, no certification or return of the report is required.

There were 2,881,846 roadside inspections conducted in 2021. According to the FMCSA's 2021 roadside inspection data, 43% of roadside inspections had no noted defects or violations.⁷

⁷ Data Source: FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 12/31/2021: 2,881,846 total inspections in 2021, 1,244,948 with no violations noted. Accessed June 27, 2023.

The FMCSA estimates that 45% of the drivers involved in roadside inspections do not return to their motor carrier's facility or terminal within 24 hours of the inspection. The agency also estimates that it takes a driver approximately 2 minutes to mail an inspection report to his/her employing motor carrier.

The time needed for a motor carrier to examine the report depends on the amount of information within the report, but the FMCSA estimates that it takes a motor carrier approximately 5 minutes on average to examine the inspection report, certify that the noted violations have been corrected, mail the certified report, and retain and file a copy. The total hour burden of these records is calculated as follows:

Disposition of Roadside Inspection Reports Burden

IC5 = Burden for Driver to Mail Inspection Report to Motor Carrier

IC6 = Burden for Motor Carrier to Examine/Certify/Mail/Retain/File Inspection Report

IC5 = [(Number of roadside inspections) x (57% of inspections with violations) x (45% of drivers that do not return to motor carrier's terminal/facility within 24 hours) x (2 minutes to mail report) x (1 hour/60 minutes)]

Number of Respondents IC5 = (Number of roadside inspections) = 2,881,846

Responses IC5 = (Number of Respondents IC5) x (57% of inspections with violations) x (45% of drivers that do not return to motor carrier's terminal/facility within 24 hours) = (2,881,846) x (0.57) x (0.45) = 739,193

IC5 = [(Responses IC5) x (2 minutes to mail report) x (1 hour/60 minutes)]

IC5 = [(739,193) x (2) x (1/60)] = 24,640 hours

IC6 = [(Number of roadside inspections) x (57% of inspections with violations) x (5 minutes to examine/certify/mail/retain and file report) x (1 hour/60 minutes)]

Number of Respondents IC6 = (Number of roadside inspections) = 2,881,846

Responses IC6 = (Number of Respondents IC6) x (57% of inspections with violations) = (2,881,846) x (0.57) = 1,642,652

IC6 = [(Responses IC6) x (5 minutes to examine/certify/mail/retain and file report) x (1 hour/60 minutes)]

IC6 = [(1,642,652) x (5) x (1/60)] = 136,888 hours

Total Disposition of Roadside Inspection Reports Burden

= IC5 + IC6 = [(24,640) + (136,888)] = **161,528 hours**

The currently approved total burden for the disposition of roadside inspection reports is 194,586 hours. The new total of **161,528 hours** represents a reduction of 33,058 hours

compared to the 194,586 hours of annual burden estimated in the currently approved ICR. This reduction is due to the decrease in the number of roadside inspection reports.

Periodic (Annual) Inspection

In addition to the systematic inspection, repair, and maintenance requirements of § 396.3, § 396.17 of the FMCSRs prohibits a motor carrier from using a CMV unless the CMV has passed an inspection at least once during the preceding 12 months and documentation of such inspection is maintained on the CMV. The inspection must include, at a minimum, the parts and accessories set forth in Appendix A to the FMCSRs, “Minimum Periodic Inspection Standards” (49 CFR Chapter III, Subchapter B, App. A). The documentation may be the inspection report prepared in accordance with § 396.21(a) or other forms of documentation, such as a sticker or decal, that contains the following information: the date of the inspection; the name and address of the motor carrier or other entity where the inspection report is maintained; information uniquely identifying the vehicle inspected if not clearly marked on the vehicle; and a certification that the vehicle has passed an inspection in accordance with § 396.17. The original or copy of an inspection report must be retained where the CMV is either housed or maintained (§ 396.21(b)(1)).

Under § 396.23, CMVs passing periodic inspections performed under the auspices of a State government, equivalent jurisdiction, or the FMCSA, meeting the minimum standards, are not subject to the inspection requirements in 49 CFR § 396.17. As of June 2023, periodic inspection programs of 22 States, the District of Columbia, the Alabama Liquefied Petroleum Gas Board, 10 Canadian Provinces, one Canadian Territory, and Mexico were identified as comparable to, or as effective as, the Federal periodic inspection requirements. Because they are comparable to the Federal requirements, the FMCSA’s periodic inspection and the related recordkeeping are not required for motor carriers that comply with these equivalent periodic inspection programs. FMCSA estimates that approximately 9,446,205 CMVs are subject to State-mandated periodic inspection programs and are therefore not subject to the inspection requirements in 49 CFR § 396.17.

FMCSA estimates that the time needed to document and retain the inspection report is approximately 5 minutes.

In accordance with the above, the total hour burden of these records is calculated as follows:

Periodic (Annual) Inspection Burden

IC7 = {(Burden for All CMVs) – (CMVs Subject to State-Mandated Periodic Inspection Program)}

IC7 = {[(Number of Power Units + Number of Non-Power Units) – (Number of CMVs subject to State-mandated periodic inspection program)] x (5 minutes/CMV) x (1 hour/60 minutes)}

Number of Respondents IC7 = (Number of Power Units + Number of Non-Power Units) – (Number of CMVs subject to State-mandated periodic inspection program) = (5,132,101 +13,648,466) – 9,446,205 = 9,334,362

Responses IC7 = [Number of Respondents IC7] = 9,334,362

IC7 = {[Responses IC7] x (5 minutes/CMV) x (1 hour/60 minutes)}

IC7 = {[9,334,362] x (5) x (1/60)} = **777,864 hours**

The currently approved total burden for periodic (annual) inspection records is 469,414 hours. The new total of **777,864 hours** represents an increase of 308,450 hours estimated in the currently approved ICR. This update is primarily attributed to a significant increase in the number of Non-Power Units, which has nearly doubled since the last ICR report published in 2020.

Records of Inspector Qualifications

Section 396.19 of the FMCSRs requires motor carriers to retain evidence of an individual's qualifications to perform periodic inspections. Inspectors are required to (1) understand the inspection criteria set forth in part 393 and Appendix A and be able to identify defective parts, (2) be knowledgeable of and have mastered the methods, procedures, tools and equipment used when performing an inspection, and (3) be capable of performing an inspection by reason of experience, training, or both.

Motor carriers are not required to maintain documentation of inspector qualifications for those inspections performed as part of a State periodic inspection program. FMCSA estimates that 44 percent of motor carriers are not required to maintain any documentation of inspector qualifications because of this provision.

There are an estimated 757,652 motor carriers subject to the periodic inspection requirements for CMVs. FMCSA estimates that there are approximately two inspectors for every three motor carriers.

The Agency estimates that the time needed for a motor carrier to document an inspector's qualifications is approximately 5 minutes on average.

It is important to note that this is generally a non-recurring time commitment. Once the motor carrier has documented that the inspector has met the minimum requirements, the motor carrier does not have to update this information.

The total hour burden of these records is calculated as follows:

Records of Inspector Qualifications Burden

IC8 = [(Number of Motor Carriers) x (2 inspectors / 3 carrier) x (56 % applicability rate) x (5 minutes) x (1 hour/60 minutes)]

Number of Respondents IC8 = (Number of Motor Carriers) = 757,652

Responses IC8 = (Number of Respondents IC8) x (2 inspectors / 3 carrier) x (56 % applicability rate) = (757,652) x (2/3) x (0.56) = 282,857

IC8 = [(Responses IC8) x (5 minutes) x (1 hour/60 minutes)]

IC8 = [(282,857) x (5) x (1/60)] = **23,571 hours** [1-time, non-recurring burden]

The currently approved total burden for records of inspector qualifications is 16,904 hours. The new total of **23,571 hours** represents an increase of 6,667 hours compared to the annual burden estimated in the currently approved ICR. This update is due primarily to an increase in the number of regulated motor carriers, which had not been updated since at least 2020.

Evidence of Brake Inspector Qualifications

Section 396.25 of the FMCSRs requires motor carriers to ensure that all inspections, maintenance, repairs or service to the brakes of its CMVs are performed by a qualified brake inspector, and maintain evidence of the inspector's qualifications at the carrier's principal place of business or at the location where the brake inspector is employed. Brake inspectors are required to: (1) understand the brake service or inspection task to be accomplished and can perform that task; (2) be knowledgeable of and have mastered the methods, procedures, tools and equipment used when performing an assigned brake service inspection or task; and (3) be capable of performing the assigned brake service or inspection by reason of experience, training, or both.

If the person who inspects, repairs, services, or maintains the CMV brakes is not an employee of the motor carrier, then the motor carrier is not required to maintain qualification evidence for that person.

There are an estimated 757,652 motor carriers subject to the brake inspector requirements. Most large motor carriers employ several brake inspectors, and a significant portion of small motor carriers do not employ a brake inspector. FMCSA estimates that there is one brake inspector employed by every three motor carriers on average.

The Agency estimates that the time needed for a motor carrier to document a brake inspector's qualifications is approximately 5 minutes on average.

As is the case with inspectors that perform periodic inspections, it is important to note that this is generally a non-recurring time commitment. Once the motor carrier has documented that the brake inspector has met the minimum requirements, the motor carrier does not have to update this information.

The total hour burden of these records is calculated as follows:

Evidence of Brake Inspector Qualifications Burden

IC9 = [(Number of Motor Carriers) x (1 brake inspector/3 carriers) x (5 minutes) x (1 hour/60 minutes)]

Number of Respondents IC9 = (Number of Motor Carriers) = 757,652

Responses IC9 = (Number of Respondents IC9) x (1 brake inspector/3 carriers) = (757,652) x (1/3) = 252,551

IC9 = [(Responses IC9) x (5 minutes) x (1 hour/60 minutes)]

IC9 = [(252,551) x (5) x (1/60)] = **21,046 hours** [1-time, non-recurring burden]

The currently approved total burden for records of brake inspector qualifications is 15,085 hours. The new total of **21,046 hours** represents an increase of 5,961 hours compared to the 15,085 hours of annual burden estimated in the currently approved ICR. This update is due primarily to an update in the number of regulated motor carriers, which had not been updated since at least 2020.

FMCSA assumes these tasks will be carried out by individuals equivalent to a Business Operations Specialist (Occupation Code 13-1000). The median hourly wage for a Business Operations Specialist in the Truck Transportation industry (NAICS 484000) is \$27.30.⁸ To arrive at a loaded hourly wage rate, the Agency first estimated a load factor of 1.4 by dividing the total cost of compensation for private industry workers of the trade, transportation, and utilities industry (\$31.67) by the average cost of hourly wages and salaries (\$22.57) as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation for September 2021.⁹ Multiplying the median hourly wage by the load factor results in a loaded hourly wage of \$38.31. As displayed in Table 1, the total burden hour cost of this ICR is \$731,786,185.

⁸ Bureau of Labor Statistics. "Occupational Employment and Wages, May 2016, NAICS 484000 - Truck Transportation.", May 2021, Available at <https://www.bls.gov/oes/tables.htm>, "All data", line item 72314 Accessed July 20, 2023.

⁹ Bureau of Labor Statistics. "Table 4. Employer Costs for Employee Compensation for private industry workers by occupational and industry group." Sep 2021, [Employer Costs for Employee Compensation - September 2021 \(bls.gov\)](https://www.bls.gov/oes/tables.htm), Accessed July 20, 2023.

Table 1: Summary of Annual Responses, Burden Hours, and Burden Hour Costs Estimates for Each Information Collection

IC Number	IC Title	Number of Respondents	Responses	Burden Hours	Burden Hour Costs
IC1	Routine Inspection, Repair, and Maintenance Records for CMVs	18,065,910	433,581,840	14,452,728	\$553,641,939
IC2	Routine Inspection, Repair, and Maintenance Records for Emergency Exit Tests on Motor Coaches and School Buses	53,569	214,276	7,143	\$273,628
IC3	Routine Inspection, Repair, and Maintenance for Intermodal Chassis	714,657	2,858,628	142,931	\$5,475,271
<i>Total Routine Inspection, Repair, and Maintenance Records Burden: 14,602,802 hours</i>					
IC4	Driver Vehicle Inspection Reports for Defect DVIRs for All Vehicles, Including Carrier Passenger Vehicles	5,335,650	63,294,148	3,516,342	\$134,700,826
<i>Total DVIR Burden: 3,516,342 hours</i>					
IC5	Disposition of Roadside Inspection Reports for Driver to Mail Inspection Report	2,881,846	739,193	24,640	\$943,887
IC6	Disposition of Roadside Inspection Reports for Motor Carrier to Examine, Certify, Mail, Retain, File Inspection Report	2,881,846	1,642,652	136,888	\$5,243,781
<i>Total Disposition of Roadside Inspection Reports Burden: 161,528 hours</i>					
IC7	Periodic (Annual) Inspection of All CMVs Not Subject to State-Mandated Periodic Inspection Program	9,334,362	9,334,362	777,864	\$29,797,706
IC8	Records of Inspector Qualifications	757,652	282,857	23,571	\$902,936
IC9	Evidence of Brake Inspector Qualifications	757,652	252,551	21,046	\$806,211
Totals for all ICs			512,200,507	19,103,153	\$731,786,185

Estimated Number of Annual Respondents: 757,652 motor carriers and 5,646,722 drivers

Estimated Total Annual ICR Burden Hours: 19,103,153

Estimated Annual Number of Responses: 512,200,507

13. Estimate of total annual costs to respondents:

The FMCSA currently estimates that the total annual cost to the respondents of the information collection, not including costs of associated salaries with the hour burden, is \$1,940,058.

All roadside inspection reports need to be transmitted to the motor carrier regardless of whether violations were noted or not. Motor carriers must return the completed roadside inspection form to the issuing agency within 15 days following the date of the roadside inspection if violations were noted. FMCSA estimates that 45% of the drivers involved in roadside inspections do not return to their motor carrier's facility or terminal within 24 hours of the inspection.

Effective August 2023, First-Class postage rates increased to \$0.66.

The cost burden related to the mailing of inspection reports by drivers and motor carriers (IC5 and IC6) is calculated as follows:

[Cost for Drivers to Mail Roadside Inspection Reports to Motor Carriers] + [Cost for Motor Carriers to Mail Roadside Inspection Reports to Issuing Agency] = [(Number of Roadside Inspections) x (45% of Drivers Who Do Not Return Within 24 hours) x (\$0.66)] + [(Number of Roadside Inspections) x (57% of Inspections with Violations) x (\$0.66)] =

[(2,881,846) x (0.45) x (\$0.66)] + [(2,881,846) x (0.57) x (\$0.66)] =

\$855,908 + \$1,084,150 = \$1,940,058

This reflects an increase of \$182,986 from the previous estimate of \$1,757,072. The increase is primarily attributed to a higher First-Class postage rate.

14. Estimate of cost to the Federal government:

This information collection imposes no cost to the Federal government. Motor carriers keep these reports, along with other documentation related to CMV inspection, repair, and maintenance, at locations where they maintain their vehicles. These locations may be the principal place of business or other locations (terminals, etc.) FMCSA investigators only obtain access to the reports and associated documentation during compliance reviews, and the burden associated with these compliance reviews is not subject to the PRA.

15. Explanation of program changes or adjustments:

This renewal includes updated data regarding the number of motor carriers subject to the FMCSRs, vehicle counts, inspections, and other underlying data used to estimate the total burden hours. As a result of the updates noted above, and explained in section 12, the estimated annual burden hours have increased from 11,389,254 to 19,103,153 and the number of responses has increased from 290,365,605 to 512,200,507.

16. Publication of results of data collection:

There are no plans to publish this collection of information for statistical use.

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

The FMCSA is not seeking this approval.

18. Exceptions to certification statement:

The FMCSA does not claim an exception to any element of the certification statement.

ATTACHMENTS

Attachment A: Section 204(a) of the Motor Carrier Act, 1935 (49 U.S.C. § 31502)

Attachment B: Section 206 of the Motor Carrier Safety Act of 1984 (49 U.S.C. § 31136)

Attachment C: Section 210 of the Motor Carrier Safety Act of 1984 (49 U.S.C. § 31142)

Attachment D: Section 9110 of the Truck and Bus Safety and Regulatory Reform Act of 1988 (49 U.S.C. § 31137(g))

Attachment E: Title 49 CFR part 396, “Inspection, Repair, and Maintenance”

Attachment F: Title 49 CFR part 393, “Parts and Accessories Necessary for Safe Operation”

Attachment G: Section 4008(a)(2) of the Transportation Equity Act of the 21st Century (TEA-21) (Pub. L. 105-178, 112 Stat. 107, June 9, 1998)

Attachment H: January 11, 2001 final rule “Federal Motor Carrier Safety Regulations; Definition of Commercial Motor Vehicle (CMV); Requirements for Operators of Small Passenger-Carrying CMVs” (66 FR 2756)

Attachment I: Section 4118 of The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub L. 109-59, 119 Stat. 1144, at 1729, August 10, 2005)

Attachment J: Section 4136 of SAFETEA-LU [Pub. L. 109-59, 119 Stat. 1144, 1745, August 10, 2005]

Attachment K: December 17, 2008, final rule “Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment” (73 FR 76794)

Attachment L: June 12, 2012, final rule “Inspection, Repair and Maintenance; Driver-Vehicle Inspection Report (DVIR) for Intermodal Equipment,” (77 FR 34846)

Attachment M: Presidential Executive Order (E.O.) 13563, “Improving Regulation and Regulatory Review” (January 21, 2011, at 76 FR 3821)

Attachment N: February 16, 2011 Notice “Regulatory Review of Existing DOT Regulations” (76 FR 8940)

Attachment O: December 18, 2014, final rule “Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report (DVIR)” (79 FR 75437)

Attachment P: August 18, 2020, final rule “Passenger Carrier No-Defect Driver-Vehicle Inspection Reports” (85 FR 50787)

Attachment Q: 49 CFR § 390.3

Attachment R: 49 CFR § 390.5