

Department of Transportation
Federal Motor Carrier Safety Administration
SUPPORTING STATEMENT

PRACTICES OF HOUSEHOLD GOODS BROKERS
OMB CONTROL NO. 2126-0048

SUMMARY

- This is an Information Collection Request (ICR) renewal. FMCSA revises the total annual burden to 86,488 hours. This is a 13,680 annual burden hour increase from the currently approved 72,808 annual burden estimate.
- Section 15 explains this increase is due to: the number of household goods brokers and non-registered entities that conduct HHG brokerage services having increased from 642 brokers to 1,256 brokers.
- The revised information collection consists of four information collections (IC) or “phases” of business interactions between brokers and shippers, as opposed to one IC in the previous ICR submittal. The First Phase, IC1, is “Prospecting.” The Second Phase, IC2, is “Contact.” The Third Phase, IC3, is “Estimate.” The Fourth Phase, IC4, is “Agreement.”

INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) submits to the Office of Management and Budget (OMB) its request to extend a currently approved information collection request (ICR) titled “*Practices of Household Goods Brokers*” (OMB Control No. 2126-0048). The currently approved ICR is due to expire on May 31, 2024, and applies to household goods (HHG) brokers and non-registered entities that conduct brokerage activities who are procured by the public (HHG shippers) to arrange the transportation of the shipper’s household goods by HHG motor carriers. FMCSA is requesting the revised renewal of the information collections found in Title 49, Code of Federal Regulations (CFR), Sections 371.107, 371.109, 371.111, 371.113, 371.115, and 371.117, to be effective for the 3-year period covered by this ICR. These regulations require broker compliance but are ultimately in place to protect HHG shippers.

Part A. Justification

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY.

This ICR requirement is contained in 49 CFR part 371 (Attachment A) as provided in the final rule titled “Brokers of Household Goods Transportation by Motor Vehicle,” (RIN 2126-AA84) (75 FR 72987, November 29, 2010) (Attachment B). The final rule amended FMCSA’s existing regulations applicable to property brokers (49 CFR part 371) to require brokers who arrange for the transportation of HHG to comply with additional shipper protection requirements. This rulemaking was in response to Title IV, Subtitle B of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L.109-59) and a

petition for rulemaking from the American Moving and Storage Association¹ (AMSA) (Attachment C). The amendments were added to protect shippers of HHG from the actions of unscrupulous brokers while not adding significantly to the costs of fair and honest brokers.

Section 4212 of SAFETEA-LU (Attachment D) directs the Department of Transportation (DOT) Secretary to require HHG brokers to provide shippers with information throughout the various stages of their interaction. Phases I through IV, below, outline the information collection requirements of the HHG broker at the various contractual stages, as provided in 49 CFR part 371.

I. First Phase: “Prospecting”

When an HHG shipper is looking to procure an HHG broker’s services, the broker must collect the following information and display it on its websites and solicitation materials:

- Its physical address (49 CFR 371.107(a));
- Its U.S. DOT number(s) and motor carrier (MC) number (49 CFR 371.107(b));
- A statement indicating it will not transport the shipper’s goods but will only arrange for goods to be transported by a registered motor carrier (49 CFR 371.107(c));
- If the broker chooses to publish rates on its website or solicitation materials, the broker must also publish a statement that the rates are based on a motor carrier’s publicly available rates (49 CFR 371.107(d));
- If the broker chooses to publish a list of motor carriers it works with, the list must be a list only of motor carriers with which brokers have agreements (49 CFR 371.107(e)); and
- Brokers must publish information regarding their cancellation policies, including information on deposits and refunds (49 CFR 371.117(a)).

For the exact text of regulations, see Section 12 part I of this document.

II. Second Phase: “Contact”

When an HHG shipper makes a reasonable request seeking additional information about broker services, the HHG broker must collect the following information and distribute it to the HHG shipper:

- A list of motor carriers with which it has agreements (49 CFR 371.109(a)); and
- A statement indicating the broker is not a motor carrier and that the broker is only arranging transportation of the shipper’s goods (49 CFR 371.109(b)).

For the exact text of regulations see Section 12 part II.

III. Third Phase: “Estimate”

When an HHG shipper requests an estimate, the broker must collect the following information and provide it to the shipper:

¹ As of August 8, 2020, the American Moving and Storage Association (AMSA) announced AMSA will join the American Trucking Associations (ATA) as the Moving & Storage Conference. Retrieved January 1, 2021 from: <https://www.moving.org/amsa-to-become-conference-of-american-trucking-associations/>.

- FMCSA’s published information material: (1) “*Ready to Move? Tips for a Successful Interstate Move*” and (2) “*Your Rights and Responsibilities When You Move (2013 Update)*” (49 CFR 371.111(a)(1), (a)(2), and (a)(3));
- A written estimate based on a physical survey of household items (49 CFR 371.113(a)) and published motor carrier rates (49 CFR 371.113(b)); and
- If applicable, a “Waiver” receipt showing shipper waived their right to a physical survey of their household items (49 CFR 371.113(b)).

The broker must obtain a signed document showing that the shipper received FMCSA’s published information material (49 CFR 371.111(c)). For the exact text of regulations see Section 12 part III.

IV. Fourth Phase: “Agreement”

Should the shipper find the estimate(s) and broker services reasonable and wish to book the broker’s services, the two parties must enter into an agreement. At this point it is standard practice for shippers to either pay a deposit or make full payment. Before any payment is collected, the broker must collect the following information and distribute it to the HHG shipper:

- An agreement document with required specifications as laid out by 49 CFR §371.115; and
- An agreement document which highlights the broker’s and/or motor carrier’s refund policy for cancelation of agreements (49 CFR 371.117(a)).

For the exact text of regulations see Section 12 part IV.

After the broker arranges the delivery of the HHG by the motor carrier, the next and final step for the broker is to store records of the transaction, including the name and address of the shipper and motor carrier, motor carrier registration number, bill of lading or freight bill number, compensation, a description of and any compensation for any non-brokerage services performed, the amount of any freight charges collected by the broker, and the date of payment to the motor carrier, as laid out by 49 CFR § 371.3. FMCSA finds that this is information the broker would ordinarily record for other standard business practices, such as tax purposes. For this reason, FMCSA does not include the annual hourly burden associated with such record keeping. However, for completeness, it is important to reference in this ICR that brokers must keep records of their transactions.

The information provided in phases I, II, III, and IV supports the requirements of 49 CFR, part 371, and the Department’s secondary mission to support HHG consumer protection.

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

The information collection by HHG brokers assists HHG shippers who wish to hire an HHG broker to arrange to ship household items via a HHG motor carrier. The collection of information is used by prospective shippers to make informed decisions about contracts and services to be ordered, executed, and settled within this niche interstate motor carrier industry.

In many cases, the HHG broker is the earliest point of contact for a shipper looking to ship their household items. The regulations require brokers to obtain a signed and dated receipt from the individual shippers of the “*Ready to Move? Tips for a Successful Interstate Move*” brochure (Attachment E) and the “*Your Rights and Responsibilities When You Move*” pamphlet (Attachment F). This information summarizes the regulations found in 49 CFR parts 371 and

375, and helps enforcement personnel determine whether the individual shipper received compliance information from their broker. The applicable regulations summarized in the pamphlet materials are also provided in Section 1 under phases I to IV, and the regulation text is provided in a more complete description of phases I to IV in Section 12.

3. EXTENT OF AUTOMATED INFORMATION COLLECTION.

FMCSA estimates that more than 90 percent of the information will be disseminated electronically to the HHG shipper by the HHG broker. The FMCSA HHG program can, and is expected to, use modern automated information collection technology, which will reduce the burden of the program. The information collections can be transmitted by e-mail or other electronic method—the details being left to the discretion of the HHG shipper, HHG broker, and the HHG motor carrier. In addition, information is available online and complaints can be submitted via the internet. None of the information collected is submitted to FMCSA.

4. EFFORTS TO IDENTIFY DUPLICATION.

FMCSA is unaware of any other Federal rules that will duplicate, overlap, or conflict with this collection, except for certain provisions of the HHG shipper protection rules in 49 CFR part 375. 49 CFR part 375 applies only to HHG motor carriers, therefore it was necessary to establish separate rules applicable to HHG brokers (which this ICR covers), even though the rules include some similarities. For example, SAFETEA-LU requires every shipper to receive the pamphlet “*Your Rights and Responsibilities When You Move,*” and HHG motor carriers are already required to make this pamphlet available to every shipper. This rule requires HHG brokers to make the same pamphlet available to shippers. There is no practical way around the duplication because some shippers do not use an HHG broker, and those who do often lack direct contact with an HHG motor carrier early enough in the process to make effective use of the information in the pamphlet.

5. EFFORTS TO MINIMIZE THE BURDEN ON SMALL BUSINESSES.

FMCSA believes its 2010 HHG Broker Rulemaking minimized the burden on small entities. Shippers who work through brokers receive only necessary information regarding the parties with which they are dealing to inform them of their rights and responsibilities relating to interstate HHG moves. The information also helps to ensure that HHG brokers deal only with properly registered and insured motor carriers, and that estimates provided by HHG brokers are provided under specific circumstances chosen to protect the shippers against possible abuse. Finally, the rulemaking increased the level of financial responsibility required to ensure that HHG brokers perform their transportation contracts.²

For the purposes of estimating the impact on small businesses, FMCSA records indicate there are currently 1,119 active and registered HHG brokers. FMCSA also estimates there are approximately an additional 137 active but not registered entities that conduct HHG brokerage activities³ for a total of 1,256.

FMCSA records also indicate almost all active HHG brokers are small entities per the definition in U.S. Small Business Administration (SBA) regulations (13 CFR part 121), which define a “small entity” in the North American Industrial Classification System (NAICS) Code 488510 “Freight Transportation Arrangement” industry by average annual receipts. The threshold is

² FMCSA increased the financial responsibility requirement to \$75,000 for all brokers subject to its jurisdiction on October 1, 2013. 78 FR 60226.

³ A broker generally becomes inactive after registering with FMCSA when its surety bond or trust fund is canceled.

currently set at \$16.5 million⁴ per firm. The motor carriers with whom HHG brokers have an agreement may also be indirectly affected, but motor carriers are subject to separate regulations, as stated above in section 4.

6. IMPACT OF LESS FREQUENT COLLECTION OF INFORMATION.

The information collection covered by this request is collected at different phases, based on when shippers and brokers interact with each other. For example, the first phase requires brokers to place certain information on their websites and in their solicitation materials. This helps shippers when they are “prospecting” for broker services. The second phase requires brokers to send additional information to shippers, such as a list of motor carriers with whom brokers have agreements. The third phase requires brokers to submit a written estimate if one is requested. Phase three also requires a broker to provide FMCSA’s pamphlets containing tips for successful moves and shippers’ rights and responsibilities, and the brokers’ policies concerning deposits, cancellations, and refunds. The fourth phase is the agreement phase, when the broker must form an agreement through documentation with the shipper.

The regulations embed a frequency framework methodology based on brokers’ and shippers’ interactions with each other that allows brokers to collect and submit helpful information to the shipper as the shipper becomes more likely to contract the broker’s services. This “built-in” frequency is provided to avoid burdening the broker unnecessarily while protecting shippers from unscrupulous brokers. A less frequent collection methodology would provide less protection to shippers from unscrupulous brokers. A more frequent methodology would burden the broker unnecessarily and not provide additional protection gains to the shipper. The current collection frequency is based on the methodology that provides both parties the best outcome.

7. SPECIAL CIRCUMSTANCES.

Information collection is done at each phase as a shipper requests a service from an HHG broker, and thus the information collection is more often than quarterly. For example, when the HHG shipper requests an estimate the HHG broker must base its estimate on the authorized motor carrier’s physical survey of the household goods and provide the estimate in writing. The purpose of the information collection is for HHG brokers to collect and provide information to HHG shippers to provide consumers with protection from unscrupulous brokers.

8. COMPLIANCE WITH 5 C.F.R. § 1320.8.

On January 22, 2024, FMCSA published a notice in the **Federal Register** announcing a renewal of an approved ICR regarding the practices of HHG brokers. 89 FR 3983 (January 22 Notice). FMCSA sought public comment on the ICR and received two comments in response to the January 22 Notice.

On March 22, 2024, the American Trucking Association Moving and Storage Conference (ATA-MSA) filed a comment (ATA-MSA comment) in response to the January 22 Notice.

On March 22, 2024, Mayflower Transit, LLC and United Van Lines, LLC, together with their hundreds of respective statutory disclosed HHG agents around the country (collectively, UniGroup), filed a comment (UniGroup comment) in response to the January 22 Notice.

⁴ U. S. Small Business Administration. Table of Small Business Size Standards Matched to North American Industry Classification System Codes. As modified by the Office of Management and Budget, effective January 1, 2017.

In their respective comments, ATA-MSC and UniGroup raised concerns about the accuracy of the estimated burden. ATA-MSC indicated that “while the FMCSA’s “total annual burden” estimate for ICR is based on a total number of 1,256 *registered* household goods brokers, the ATA-MSC views the number as falling short of the actual count of entities providing household goods brokerage services, as many entities are operating without the required registration.” ATA-MSC comment, at 2. UniGroup indicated that “FMCSA’s accounting of the number of registered household goods brokers is incomplete, in terms of number of household goods brokers operating in the U.S. moving market. The number of registered brokers is foundational to the ICR’s estimate and as such, the ICR’s estimate must be considered inaccurate” (see UniGroup comment, at 2).

In their respective comments, ATA-MSC and UniGroup raised concerns about the accuracy of FMCSA’s phases summarizing the information collection required by the HHG broker at the various contractual stages per 49 CFR 371. UniGroup indicated that “the model for broker/shipper interactions described in the ICR is outdated and not consistent with current shipper engagement with brokers.” UniGroup Comment, at 3. ATA-MSC indicated “that the various phases used by FMCSA to break down the interaction between broker and consumer do not fully represent the method of interaction that exists today” (see ATA-MSC, at 8).

Additionally, ATA-MSC encouraged FMCSA to “conduct further research into the practices and activities of household goods brokers, especially those who are engaging in brokerage activities but are failing to register as required under law.” ATA-MSC comment, at 7. UniGroup stated that a “better understanding of how brokers and moving consumers interact in today’s digital world will enhance the Quality used to create the ICR’s estimates and perhaps more importantly, better enable FMCSA to protect consumers” (see UniGroup comment, at 5).

FMCSA continues to assume a conservative number of non-registered entities that conduct HHG brokerage activities to be 12.2 percent of the number of registered brokers. Per FMCSA records, if there are 1,119 registered brokers, then there are a total of 137 non-registered entities that conduct HHG brokerage activities ($1,119 \times 0.122 = 136.5$). Thus, the total amount of active HHG brokers is 1,256 ($1,119 + 137 = 1,256$).

FMCSA’s model summarizing the information collection required by the HHG broker at various contractual stages is based on regulatory requirements and fully represents the required interaction between an HHG broker and consumer as outlined in 49 CFR part 371.

FMCSA agrees that further research into the practices and activities of registered HHG brokers and non-registered entities that conduct HHG brokerage activities could provide FMCSA with a more in-depth understanding of how both entities engage with consumers.

FMCSA looks forward to continuing to work with stakeholders on issues related to the practices of HHG brokers.

9. PAYMENTS OR GIFTS TO RESPONDENTS.

There are no payments or gifts to respondents for this information collection.

10. ASSURANCES OF CONFIDENTIALITY.

None of the information collected by HHG Brokers will be confidential.

11. JUSTIFICATION FOR COLLECTION OF SENSITIVE INFORMATION.

There are no questions of a sensitive nature.

12. ESTIMATES OF BURDEN HOURS FOR INFORMATION REQUESTED.

To estimate the annual burden hours for this revision information request, FMCSA makes the following assumptions:

For this update, the annual burden hours and associated respondent cost is largely carried by the brokers, with the consumer benefit accruing to shippers. This information collection includes the hourly burden estimate that arises when brokers interact with shippers and motor carriers.

To estimate the hourly burden that arises when brokers interact with shippers, FMCSA reviewed Census Bureau household mobility data. According to the Census Bureau's mobility data, there are approximately 4,884,000 household,^{5,6} interstate moves per year. Of those 4,884,000 interstate moves, FMCSA estimates HHG brokers, a niche market of brokers, handle about 2 percent of these moves, or 100,000⁷ household moves per year.

FMCSA records indicate that there are 1,119 registered HHG brokers. While HHG brokers must register with FMCSA to arrange the transportation of HHG on interstate roads, FMCSA assumes that there are non-registered entities that conduct HHG brokerage activities. FMCSA does not know the number of non-registered entities conducting HHG brokerage activities but estimates the number based on FMCSA's conversations with industry experts and information from broker websites. FMCSA continues to assume a conservative number of non-registered entities that conduct HHG brokerage activities to be 12.2 percent of the number of registered brokers. Per FMCSA records, if there are 1,119 registered brokers, then there are a total of 137 non-registered entities that conduct HHG brokerage activities ($1,119 \times 0.122 = 136.5$). Thus, the total amount of active HHG brokers is 1,256 ($1,119 + 137 = 1,256$).

If there are 100,000 brokered interstate moves per year and approximately 1,256 active HHG brokers,⁸ on average each broker completes approximately 80 household moves per year⁹ ($100,000 \div 1,256 = 79.6$)¹⁰. This estimate reflects the number of completed transactions between brokers and shippers.

To estimate the burden between brokers and motor carriers, FMCSA views the established contractual records of brokers and motor carriers. FMCSA records indicate brokers have an average of 31 contractual relationships with motor carriers. Based on conversations with industry stakeholders, FMCSA estimates these contracts are renewed approximately every 6 years. This suggests that brokers, on average, update approximately 5 contracts with motor carriers per year.

This estimate reflects the number of completed transactions between brokers and motor carriers. he total annual burden hours include applicable information collection between three parties:

⁵ U.S. Census Bureau Current Population Survey, Annual Social and Economic Supplement years. See Table A-1. Annual Geographic Mobility Rates, By Type of Movement: 1948-2022.

<https://www.census.gov/topics/population/migration/guidance/user-notes.html>. Accessed August 23, 2023.

⁶ A total U.S. population of 334,233,854 (January 1, 2023) divided by 4,884,000 interstate moves per year results in 1 in every 68 households moving to a different state each year. [Population Clock \(census.gov\)](https://www.census.gov/population/migration/data/interstate/clock.html). Accessed August 23, 2023.

⁷ 2% of 4,884,000 is 97,680. FMCSA rounds upwards to 100,000. This estimate is consistent with the previous iteration of this ICR.

⁸ FMCSA records indicate there are, on average, 1,256 active household goods brokers on any given day.

⁹ Household goods brokers handle 100,000 household moves per year and, if there are 1,256 household goods brokers, each broker handles 80 household moves ($100,000 \div 1,256 = 79.6$). FMCSA rounds upwards to 80.

¹⁰ FMCSA rounds upwards to 80.

brokers, motor carriers, and shippers. As a result, for this renewal the *Annual Hourly Burden* methodology is updated and applies the 49 CFR part 371 regulations in “phases” to capture broker and shipper interaction frequency per phase. To account for the number of shippers by stages, FMCSA works backwards. For example, if brokers complete 80 moves per year, then at the second phase, when the regulations stipulate, brokers are required to send a “list of motor carriers” and a “statement of their role” to qualified shippers, then there are 160 qualified shippers at this stage. This is based on standard sales funnel models, in which 50 percent of shippers at the “contact” phase result in a final sale. Under this model, approximately 160 shippers would receive the information collection from the broker.¹¹

I. First Phase: “Prospecting”

When looking for HHG brokers, shippers usually start at solicitation materials and brokers’ websites. At this phase, brokers must collect and provide the requirements listed in on their marketing material and/or internet website.

Figure 1. First Phase: Information Collection Requirements for "Prospecting" Stage

Requirement Items	49 CFR
a. [Broker(s)] must prominently display on [their] advertisements and Internet Web homepage(s) the physical location(s) (street or highway address, city, and State) where [broker(s)] conducts business.	371.107(a)
b. [Broker(s)] must prominently display [their] U.S. DOT registration number(s) and MC [motor carrier] license number issued by the FMCSA in [broker(s)] advertisements and Internet Web homepage(s).	371.107(b)
c. [Broker(s)] must prominently display on [their] advertisements and Internet Web site(s) [their] status as a household goods broker and the statement that [broker(s)] will not transport an individual shipper's household goods, but that [they] will arrange for the transportation of the household goods by an FMCSA-authorized household goods motor carrier, whose charges will be determined by its published tariff.	371.107(c)
d. [Broker(s)] can provide estimates on any [motor] carrier's behalf pursuant to Section 371.113(b) ¹² , [broker(s)] must prominently display in your Internet Web site(s) that the estimate [is] based on the [motor] carrier's tariff and that the [motor] carrier is required to make its tariff available for public inspection upon a reasonable request.	371.107(d)

¹¹ 160=80/.5.

¹² 49 CFR part 371.113(b) You must base your estimate upon the published tariffs of the authorized motor carrier who will transport the shipper's household goods.

e. [Broker(s)] may only include in [their] advertisements or Internet Web site(s) the names or logos of FMCSA-authorized household goods motor carriers with whom [brokers] have a written agreement as specified in § 371.115.	371.107(e)
f. [Broker(s)] must disclose prominently on [their] Internet Web site and agreements with prospective shippers [their] cancellation policy, deposit policy, and policy for refunding deposited funds in the event the shipper cancels an order for service before the date an authorized household goods motor carrier has been scheduled to pick up the shipper's property.	371.117(a)

Regarding items (a) “physical address,” (b) “license numbers,” and (c) “statement” listed in above, brokers should have already collected this information and added it to their websites and solicitation materials after 2011, when the first information collection for this rulemaking was approved. For this renewal, physical address, license numbers, and statements are not expected to be updated on a frequent basis. FMCSA therefore does not include these regulations in the annual hourly burden estimate.

FMCSA does expect requirements (d) “rates,” (e) “list of motor carriers,” and (f) “cancellation policies” as listed in to change frequently and are included in the annual burden estimate. However, the rates and lists of motor carriers’ items are optional for brokers at this phase. Thus, at the “prospecting” stage, the only annual burden estimate is for requirement (f) “cancellation policies.”

As referenced at the beginning of this section, FMCSA estimates that brokers, on average, will enter into five new agreements with five unique HHG motor carrier firms per year. FMCSA anticipates that each broker will need to update its cancellation policies to reflect each “new” motor carrier’s policy whenever entering into a new agreement.

FMCSA estimates it will take a total of 30 minutes (0.5 hours) for respondents to update their cancellation policies on their websites and in their solicitation materials, as required by 49 CFR §371.117(a). FMCSA assumes the broker will create the content changes, and a web developer will update the website and solicitation material based on the content changes created by the broker.

FMCSA estimates 3,140 total annual burden hours for requirement (f) “cancellation policies” (1,256 brokers x 5 agreements x 30 minutes = 3,140. Table 1 provides a summary of this calculation.

Table 1. Total Burden Hours for First Phase “Prospecting”

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)
2024	1,256	6,280	0.50	3,140
2025	1,256	6,280	0.50	3,140
2026	1,256	6,280	0.50	3,140
Total	3,768	18,840		9,420
<i>Annual (rounded)</i>	1,256	6,280		3,140

In conclusion, for the first phase (the Prospecting Phase) FMCSA estimates 3,140 annual burden hours for the regulations listed in .

Table 2 provides a summary of the annual respondent burden hours for the “Prospecting” Phase.

Table 2. Annual Summary of “Prospecting” Phase

Phase I. “Prospecting”	No. of Respondents	No. of Responses	Burden Hours
Table 1	1,256	6,280 (1,256 × 5)	3,140 (6,280 × 0.50)
TOTALS	1,256	6,280	3,140

Changes from Previous ICR

For this update, the number of brokers increased from 652 to 1,256 which resulted in an annual burden revision upwards to 3,140 hours. This indicates a 1,510 burden-hour increase.

II. Second Phase: “Contact”

When HHG shippers make reasonable requests to HHG brokers for additional information regarding their services, brokers must first collect the information referenced in Figure 2 and then, secondly, distribute it to shippers.

Figure 2. Second Phase: Information Collection Requirements for “Contact” Stage

Requirement Items	49 CFR
a. [Brokers(s)] must provide to each potential individual shipper who contacts the [broker] a list of all authorized household goods motor carriers [brokers] use, including their U.S. DOT registration number(s) and MC license numbers.	371.109(a)
b. [Broker(s)] must [also] provide each potential individual shipper who contacts a [broker(s)] a statement indicating that [they] are not a motor carrier authorized by the federal government to transport the individual shipper’s household goods, and [broker(s)] are only arranging for an authorized household goods motor carrier to perform the transportation services and, if applicable, additional services.	371.109(b)

Per 49 CFR part 371.115, a broker must have a written agreement with a motor carrier(s) to provide estimates of charges for the transportation of household goods. The first part of the annual hourly burden calculation consists of the hours associated with updating item (a) “list of motor carriers” and item (b) “statement of role” as listed in Figure 2 above. The second part consists of the hours to collect all the requirements and submit them to shippers. This is important because updates to the “list of motor carriers” for a broker are derived from interactions with motor carriers.

FMCSA assumes the first drafts for both (a) “list of motor carriers” and (b) “statement of role” were developed in 2011 during the initial ICR. FMCSA estimates the “list of motor carriers” will

need to be updated only as frequently as brokers enter into new agreements with motor carriers. The “statement of role” is not expected to be revised for this ICR. The broker contacts a motor carrier to inquire whether the motor carrier wants to go into a partnership or agreement with the broker. If the motor carrier agrees to form a partnership or agreement with the broker, then the broker updates its “motor carrier” list.

FMCSA estimates it will take approximately three minutes (0.05 hours) for brokers to update their “list of motor carriers” per agreement with each motor carrier. This breaks down as one minute for each list item: MC name, MC number and DOT number, and motor carrier firm physical address.

For the revisions to the “list of motor carriers,” FMCSA estimates an annual burden of 314 hours (1,256 brokers x 5 responses per respondent x 0.05 hours per agreement = 314. Table 3 provides a summary of this calculation.

Table 3. Total Burden Hours for Second Phase, Hours Spent by Brokers Updating Motor Carriers Lists as a Result of New Agreements (Part 1 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)
2024	1,256	6,280	0.050	314
2025	1,256	6,280	0.050	314
2026	1,256	6,280	0.050	314
Total	3,768	18,840		942
<i>Annual (rounded)</i>	<i>1,256</i>	<i>6,280</i>		<i>314</i>

For the second part of this phase, FMCSA anticipates the HHG broker will bundle the required information and send it electronically to the shipper. FMCSA estimates this will take one minute (0.017 hours) to collect the “list of motor carriers” and “statement of their role” and submit them to each shipper.

As stated previously, FMCSA estimates brokers have on average 80 moves per year. This means, on average, 80 moves per year is 100 percent of a broker’s moves per year or finalized sales per year. However, at the “contact” stage, based on industry sales funnel reports, only about 50 percent of the reasonable requests made by the shipper to the broker will turn into a final sale for the broker. Thus, we can assume brokers will collect the required information and send it to approximately 160 qualified shippers.¹³

For this portion of the “contact” phase, collecting items (a) “list of motor carriers” and (b) “statement of role” and submitting the information to HHG shippers, FMCSA estimates 3,414 annual burden hours (1,256 x 160 x 0.017 hours) = 3,416. Table 4 provides a summary.

Table 4. Total Burden Hours for Second Phase “Contact”, Hours between Brokers and Shippers (Part 2 of 2)

Year	Number of Respondents	Number of Responses	Average Burden Hours per	Total Burden Hours
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¹³ 80/.5=160

	(a)	(a × 160= b)	Response (c)	(b × c = d)
2024	1,256	200,960	0.017	3,416
2025	1,256	200,960	0.017	3,416
2026	1,256	200,960	0.017	3,416
Total	3,768	602,880		10,249
<i>Annual (rounded)</i>	<i>1,256</i>	<i>200,960</i>		<i>3,416</i>

In conclusion, for the second phase or the “contact” phase, FMCSA estimates 3,730 annual (314 hours + 3,416 hours = 3,730 hours) burden hours for regulations referenced in [Figure 2](#).

For an annual table summary of the “Contact” Phase see [Table 5](#).

Table 5. Summary of “Contact” Phase

Second Phase “Contact”	No. of Respondents	No. of Responses	Burden Hours
Table 3	1,256	6,280 (1,256 × 5)	314 (6,280 × 0.050)
Table 4	1,256	200,960 (1,256 × 60)	3,416 (200,960 × 0.017)
TOTALS		207,240	3,730

Changes from Previous ICR

For this update, the number of brokers increased from 652 to 1,256 which resulted in an annual burden revision upwards to 3,730 hours. This indicates a 153 burden-hour increase.

III. Third Phase: “Estimate”

When an HHG shipper requests an estimate, the broker must collect the information provided in and distribute it to the shipper.

Figure 3. Third Phase: Information Collection Requirements for "Estimate" Stage

Requirement Items	49 CFR
<p>a. [Broker(s)] must provide potential individual shippers with Federal consumer protection information by one of the following three methods (1) [Broker(s)] provides a hyperlink on [broker'(s)] Internet Web site to the FMCSA Web site containing the information in FMCSA's publications "<i>Ready to Move? - Tips for a Successful Interstate Move</i>" and "<i>Your Rights and Responsibilities When You Move.</i>" (2) [Broker(s)] distributes to each shipper and potential shipper at the time it provides an estimate, copies of FMCSA's publications "<i>Ready to Move? - Tips for a Successful Interstate Move</i>" and "<i>Your Rights and Responsibilities When You Move.</i>"</p>	<p>371.111(a)(1), (a)(2), (a)(3)</p>
<p>b. b.[Broker(s)] must obtain a signed, dated paper receipt showing the individual shipper has received both booklets that includes, if applicable, verification of the shipper's agreement to access the Federal consumer protection information on the Internet.</p>	<p>371.111(c)</p>
<p>c. [Broker(s)] may provide each individual shipper with an estimate of transportation and accessorial charges. If [broker(s)] provide[s] an estimate, it must be in writing and must be based on a physical survey of the household goods conducted by the authorized motor carrier on whose behalf the estimate is provided if the goods are located within a 50-mile radius of the motor carrier's or its agent's location, whichever is closer. The estimate must be prepared in accordance with a signed, written agreement, as specified in Section 371.115 of this subpart.</p>	<p>371.113(a)</p>
<p>d. [Broker(s)] must base estimate upon the published tariffs of the authorized motor carrier who will transport the shipper's household goods.</p>	<p>371.113(b)</p>
<p>e. [Shipper(s)] may elect to waive the physical survey required in paragraph (a) of this section by written agreement signed by the shipper before the shipment is loaded. (2) The household goods broker[s] must explain the physical survey waiver agreement to the individual shipper in plain English. The physical survey waiver agreement must be printed on the written estimate and must be printed at no less than 7-point font size and with the font typeface Universe. (3) A copy of the waiver agreement must be retained as an addendum to the bill of lading and is subject to the same record inspection and preservation requirements as are applicable to bills of lading.</p>	<p>371.113(c)(1), (c)(2), (c)(3)</p>

Similar to the second phase, the third phase has an annual hourly burden calculation broken out into two parts. The first part is the annual hourly burden between brokers and motor carriers, and the second part is the annual hourly burden between brokers and shippers.

As noted in item (c) "estimate," in above, before a broker can provide estimates to shippers, brokers must have agreements in place with motor carriers. As stated previously, FMCSA continues to estimate that brokers have on average five new agreements with motor carriers per year. FMCSA also continues to estimate that each agreement takes four hours to complete. Thus, the annual hourly burden estimate for brokers to enter into agreements with motor carriers is

approximately 25,120 hours (1,256 × 5 agreements × 4 hours = 25,120 hours). A summary of this calculation is provided in [Table 6](#).

Table 6. Total Burden Hours for Third Phase “Estimate,” Hours between Brokers and Motor Carriers (Part 1 of 3)

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)
2024	1,256	6,280	4.00	25,120
2025	1,256	6,280	4.00	25,120
2026	1,256	6,280	4.00	25,120
Total	3,768	18,840		75,360
<i>Annual (rounded)</i>	<i>1,256</i>	<i>6,280</i>		<i>25,120</i>

The second part of the annual hourly burden estimate is the time estimated as necessary to collect and submit the remaining requirements listed in items (a) through (e) in Figure 3. Not all these requirements apply to all shippers at this stage.

For item (a) “pamphlets,” the requirement stipulates brokers must provide FMCSA’s pamphlet materials to all shippers, and item (b) stipulates that brokers must collect a signed receipt indicating that shippers have received the material. The pamphlet material may be distributed earlier than the “estimate” phase, but the pamphlet receipt document must be collected by the broker before a broker may provide an estimate.

Because the pamphlets have already been created by FMCSA, the burden estimate includes only the time to collect and submit the information to shippers. FMCSA estimates items (a) and (b) together will take 1.5 minutes.

Item (c) “estimate” has a few components and do not apply to all shippers. First, the regulation stipulates that when a broker provides an estimate to the HHG shipper, the estimate must be in writing and be based on a physical survey of the shipper’s household items. Note that the survey is taken by the registered motor carrier and provided to the broker. The broker passes the estimate in writing to the shipper.

The regulation does provide an optional “waiver” item (e), listed in , of the physical survey. This allows the shipper to waive its right to a physical survey. To “waive” the physical survey, the broker must explain the waiver and how this waiver will affect its written estimate. FMCSA continues to estimate that it will take five minutes to explain the waiver to each shipper and anticipates that all shippers at this phase will receive the explanation.

FMCSA does not know the number of physical surveys or physical survey waivers, but based on FMCSA’s conversations with industry experts, FMCSA estimates that 50 percent of shippers request physical surveys.

FMCSA estimates it will take 10 minutes¹⁴ to complete a “written estimate” based on the motor carrier’s physical survey or other non-physical inventory methods and pass the estimate to the shipper.

¹⁴ FMCSA does not know the amount of time brokers spend on average to develop an estimate, however based on FMCSA’s conversations with industry experts, FMCSA anticipates 10 minutes per estimate is a reasonable estimate.

For shippers who do not request a physical survey, then item (e) (the signature “waiver” document) applies. Only a portion of shippers waive their right to a physical survey.

Based on industry reports, about 80 percent of shippers at the “estimate” stage will move on to a final sale for the broker. If each broker averages 80 moves per year, which represents 100 percent of its total household move sales per year, then each broker will collect the required information for approximately 100 shippers¹⁵. This includes:

+1.5 minutes per broker to collect and send FMCSA’s pamphlets and receive back a signature per shipper (items a and b)

+5 minutes per broker to explain waiver per shipper (item (e)(2))

+10 minutes per broker to develop a written estimate off of a motor carrier’s physical survey or other non-physical inventory method per shipper and submit written estimate to shipper (item c)

= 16.5 minutes.

This portion of the estimate phase produces an annual burden of 34,540 hours (1,256 brokers × 100 shippers × 16.5 minutes = 34,540 hours). provides a summary of this calculation.

For the remaining part 371 requirements, 50 shippers would incur additional burden time (100 shippers × 50% = 50 shippers). These regulations include:

+1.5 minutes per broker to send and collect signature for waiver document per shipper (item e.1)

=1.5 minutes

This portion of the estimate phase produces an annual burden of 1,570 hours (1,256 brokers × 50 shippers × 1.5 minutes = 1,570 hours). Table 8 provides a summary of this calculation.

¹⁵ 80/.80= 100

Table 7. Total Burden Hours for Third Phase “Estimate,” Hours between Brokers and Shippers, Applied to 100 shippers (part 2 of 3)

Year	Number of Respondents (a)	Number of Responses (a × 100 = b)	Average Burden Hours per Response ¹⁶ (c)	Total Burden Hours (b × c = d)
2024	1,256	125,600	0.275	34,540
2025	1,256	125,600	0.275	34,540
2026	1,256	125,600	0.275	34,540
Total	3,768	376,800		103,620
<i>Annual (rounded)</i>	<i>1,256</i>	<i>125,600</i>		<i>34,540</i>

Table 8 Total Additional Burden Hours for Third Phase “Estimate,” Hours between Brokers and Shippers, Applied to 50 Shippers (part 3 of 3)

Year	Number of Respondents (a)	Number of Responses (a × 50 = b)	Average Burden Hours per Response ¹⁷ (c)	Total Burden Hours (b × c = d)
2024	1,256	62,800	0.025	1,570
2025	1,256	62,800	0.025	1,570
2026	1,256	62,800	0.025	1,570
Total	3,768	188,400		4,710
<i>Annual (rounded)</i>	<i>1,256</i>	<i>62,800</i>		<i>1,570</i>

The second part of the estimate produces a total of 36,110 (34,540 + 1,570) annual burden hours. In conclusion, the “estimate” phase results in an annual burden of 61,230 hours (25,120 + 36,110 = 61,230).

For an annual table summary of the “Estimate” Phase see [Table 9](#).

Table 9. Summary of “Estimate” Phase

Third Phase “Estimate”	No. of Respondents	No. of Responses	Burden Hours
Table 6	1,256	6,280	25,120
Table 7	1,256	125,600	34,540
Table 8	1,256	62,800	1,570
TOTALS		194,680	61,230

Changes from Previous ICR

For this update, the number of brokers increased from 652 to 1,256 which resulted in an annual burden revision upwards to 25,120 hours. This indicates a 12,080 burden-hour increase.

For requirement 371.113, “explanation of waiver,” the FMCSA uses the frequency of 100 explanations per year and adds the multiplication variable of the number of brokers × the number

¹⁶ 16.5 minutes divided by 60 minutes is equal to 0.275 hours per response.

¹⁷ 1.5 minutes divided by 60 minutes is equal to 0.025 minutes per hour.

of shippers. This results in a slight decrease of 65 burden hours, for an estimate of 34,540 annual burden hours.

The time to collect information between brokers and shippers remains consistent at 1.5 minutes, and the number of shippers decreased from 97 to 50, thus, this estimate is only changed slightly from 1,581 to 1,570 hours.

In summary, for the “estimate” phase, the previous ICR recorded total annual burden hours of 49,226. This iteration estimates the annual burden at 61,230, an overall increase of 12,004 hours.

IV. Fourth Phase: “Agreement”

As the HHG brokers and the HHG shippers prepare to enter into agreements, brokers must collect the information in and distribute it to HHG shippers.

Figure 4. Fourth Phase: Information Collection Requirements for "Agreement" Stage

Requirement Items	49 CFR
<p>a. In order to provide estimates of charges for the transportation of household goods, [brokers] must do so in accordance with the written agreement required by § 375.409 of this subchapter. [Broker's] written agreement with the motor carrier(s) must include the following items: 1) [Broker] name as shown on your FMCSA registration, [broker] physical address, and [broker] U.S. DOT registration number and MC license number; 2) The authorized motor carrier's name as shown on its FMCSA registration, its physical address, and its U.S. DOT registration number and MC license number; 3) A concise, easy to understand statement that [broker] written estimate to the individual shipper: 3i) Will be exclusively on behalf of the authorized household goods motor carrier; 3ii) Will be based on the authorized household goods motor carrier's published tariff; and 3iii) Will serve as the authorized household goods motor carrier's estimate for purposes of complying with the requirements of part 375 of this chapter, including the requirement that the authorized household goods motor carrier relinquishes possession of the shipment upon payment of no more than 110 percent of a non-binding estimate at the time of delivery; 4) [Broker's] owner's, corporate officer's, or corporate director's signature lawfully representing your household goods broker operation and the date; the signature of the authorized household goods motor carrier's owner, corporate officer, or corporate director lawfully representing the household goods motor carrier's operation and the date; and 5b) The signed written agreement required by this section is public information and you must produce it for review upon reasonable request by a member of the public.</p>	1. 371.115
<p>b. [Brokers] must maintain records showing each individual shipper's request to cancel a shipment and the disposition of each request for a period of three years after the date of a shipper's cancellation request. If you refunded a deposit, your records must include: (b1) Proof that the individual shipper cashed or deposited the check or money order, if the financial institution provides documentary evidence; or (b2) Proof that you delivered the refund check or money order to the individual shipper.</p>	2. 371.117(a)

The “agreements” requirement as listed above in item (a) of includes all the information that must be placed in an agreement document between broker and shipper including the “estimate” provided in the previous section. FMCSA anticipates that agreements are based on template document(s), including template text for the broker’s cancellation and refund policies. FMCSA anticipates that the broker will take approximately 10 minutes to organize and tailor each agreement document between broker and shipper, and 1 minute to submit document(s) and receive a signed document from the motor carrier.

According to industry reports, approximately 99 percent of agreements made between brokers and shippers enter into the delivery/records stage, wherein a broker arranges transportation of shippers' HHG and delivery is completed. The remaining 1 percent cancel their agreements and brokers do not arrange for delivery of the HHG.

FMCSA rounds the 99 percent to 100 percent, as agreement cancellations at the margin are too small a population to account for within this ICR. Thus, FMCSA slightly overestimates the number of agreements that enter into the delivery/records phase. As a result, FMCSA estimates HHG brokers will spend 18,388 annual burden hours on the “agreement” stage (1,256 brokers × 80 agreements × 11 minutes per agreement¹⁸ = 18,388 hours). [Table 10](#) provides a summary of these calculations.

Table 10. Total Burden Hours for Fourth Phase “Agreement”

Year	Number of Respondents (a)	Number of Responses (a × 80 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)
2024	1,256	100,480	0.183	18,388
2025	1,256	100,480	0.183	18,388
2026	1,256	100,480	0.183	18,388
Total	3,768	301,440		55,164
<i>Annual (rounded)</i>	<i>1,256</i>	<i>100,480</i>		<i>18,388</i>

In conclusion, the “agreement” phase results in an annual burden of 18,388 hours.

Table 11 provides a summary of the annual respondent burden hours of the “agreement” phase.

Table 11. Annual Summary of “Agreement” Phase

Fourth Phase “Agreement”	No. of Respondents	No. of Responses	Burden Hours
Table 10	1,256	100,480	18,388
TOTALS		100,480	18,388

Changes from Previous ICR

For the “agreement” phase, there was an increase in the number of brokers, which resulted in a slight increase from 18,375 hours to 18,388 hours.

Section 12 Summary

Below, [Error: Reference source not found](#) provides a summary of the burden hours associated with each phase.

Table 12 Respondents, Responses and Burden Hours Summary

Phase		No. of Respondents	No. of Responses	Burden Hours
I	First Phase “Prospecting”	1,256	6,280	3,140
II	Second Phase “Contact”	1,256	207,240	3,730
III	Third Phase “Estimate”	1,256	194,680	61,230

¹⁸ 11 minutes is rounded to 0.18 hours

Phase		No. of Respondents	No. of Responses	Burden Hours
IV	Fourth Phase “Agreement”	1,256	100,480	18,388
TOTAL			508,680	86,488
*Number of respondents for all regulations is 1,256.				

The total number of respondents is 1,256.

The total number of responses is 508,680.

The total annual hourly burden estimate for this ICR is 86,488 hours.

The information provided in phases I, II, III, and IV supports the requirements of 49 CFR part 371, Subpart B, and the Department’s secondary mission to support HHG consumer protection.

Note on Broker “Transaction Records”

After the delivery of the household goods by the motor carrier, the final step for the broker is to keep records of the transaction, including the name and address of the shipper and motor carrier, motor carrier registration number, bill of lading or freight bill number, compensation, a description of and any compensation for any non-brokerage services performed, the amount of any freight charges collected by the broker, and the date of payment to the motor carrier as laid out by 49 CFR § 371.3. As referenced above, the annual hourly burden estimate for broker “transaction records” is removed from this ICR revision because the information collected is the type of information brokers ordinarily record for standard business practices such as document retention for tax purposes. As a result, the annual burden associated with transaction records remains 0.

Estimates Respondents Labor Costs for Information Requested

To estimate the *annual labor-related costs to respondents*, FMCSA makes all the assumptions described above.

The “phases” summarize 49 CFR part 371 requirements on how shippers, brokers, and motor carriers interact with one another. Because the requirements are outlined above, they are not repeated in this section.

I. First Phase: “Prospecting”

As established for the first phase, FMCSA estimates 3,140 annual burden hours. For the requirements of the regulations bearing on this section, see .

For this revision, FMCSA assumes brokers and web developers/graphic designers will serve as the labor responsible for updating the information and making necessary changes to the brokers’ websites and solicitation materials. FMCSA estimates brokers will spend time making content changes required for their information websites and solicitation materials, while the manual changes will be made by the web developers/graphic designers. Based on conversations with industry experts, FMCSA assumes that, of the 3,140 hours, brokers will spend 1,570 hours and web designers will spend the remaining 1,570 hours.

While the hours are split between two labor categories for this revision, FMCSA continues to use the Department of Labor’s *Cargo and Freight Agent* labor category for the brokers’ wage and salary estimate, which in 2022 reported a median hourly wage of \$22.53,¹⁹ and the *Web*

¹⁹ Bureau of Labor Statistics. “Occupational Employment and Wages,” May 2022, NAICS43-5011– Cargo and Freight Agents.” DOL, 2022. <https://www.bls.gov/oes/current/oes435011.htm>. Accessed August 28, 2023.

Developers and Digital Interface Designers labor category for web developers’ and graphic designers’ wages, which in 2022 reported a median hourly wage of \$40.02.²⁰

In addition to the wage and salary cost, brokers also pay for benefits such as health insurance, vacation, and sick leave that contribute to both brokers’ and the web designers’/graphic designers’ total annual compensation. For this revision, as is the best practice for cost estimation methodologies, FMCSA uses the total cost of compensation or the loaded salary and wage rate for all labor categories.

To develop the loaded wage rate for both *Web Developers and Digital Interface* and *Cargo and Freight Agent* labor categories, FMCSA uses the Department of Labor’s *Employer Costs for Employee Compensation* March 2023 data table. FMCSA divides the total cost for employee compensation for private industry workers by the labor category’s occupational and industry group’s proportion of compensation toward wages and salaries alone. For example, the *Web Developers and Digital Interface Designers* labor category’s applicable total compensation for the occupational industry group (*Information* series), has a total compensation rate of \$69.55,²¹ and a wage and salary rate of \$45.52. This provides an applicable load factor of 1.52 ($\$69.55 \div \$45.52 = 1.53$).

Multiplying the load factor by the *Web Developers and Digital Interface Designers* median wage and salary rate of \$40.02, yields \$61.23 ($\$40.02 \times 1.53 = \61.23), which is the total cost of compensation for the web developers’ hourly cost.

Using the same methodology described above for the *Cargo and Freight Agents* labor category, the load factor is 1.51 ($\$44.05 \div \$29.16 = 1.51$). Multiplying the load factor by the labor category’s median wage and salary rate of \$22.53 results in a loaded labor wage rate of \$34.03 ($\$22.53 \times 1.51 = \34.02).

With a loaded hourly wage rate of \$61.23 for *Web Developers and Digital Interface Designers*, FMCSA estimates an annual total labor cost of \$96,132 ($\$61.23 \times 1,570 \text{ hours} = \$96,132$). [Table 13](#) below summarizes the calculation for this labor category.

In addition, with a loaded hourly wage rate of \$34.02 for *Cargo and Freight Agents*, FMCSA estimates an annual total labor cost of \$53,412 ($\$34.02 \times 1,570 \text{ hours} = \$53,412$). [Table 14](#) below summaries the calculation for this labor category.

Table 13. Burden Costs for First Phase “Prospecting,” Costs Associated with *Web Developers and Digital Interface Designers* (Part 1 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	6,280	0.25	1570	\$ 61.23	\$96,132
2025	1,256	6,280	0.25	1570	\$ 61.23	\$96,132
2026	1,256	6,280	0.25	1570	\$ 61.23	\$96,132

²⁰ Bureau of Labor Statistics. “Occupational Employment and Wages,” May 2022, NAICS15-1255 Web Developers and Digital Interface Designers.” DOL, 2022. <https://www.bls.gov/oes/current/oes151255.htm>. Accessed August 28, 2023.

²¹ Bureau of Labor Statistics. “Table 4, Employer Costs for Employee Compensation for private industry workers by occupational and industry group, March 2023.” https://www.bls.gov/news.release/archives/ecec_03192020.pdf. Accessed August 28, 2023.

Total	3,768	18,840		4,710		\$288,396
Annual (rounded)	1,256	6,280		1570		\$96,132

Table 14. Burden Costs for First Phase “Prospecting,” Costs Associated with Cargo and Freight Agents (Part 2 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	6,280	0.25	1570	\$ 34.02	\$53,412
2025	1,256	6,280	0.25	1570	\$ 34.02	\$53,412
2026	1,256	6,280	0.25	1570	\$ 34.02	\$53,412
Total	3,768	18,840		4,710		\$160,236
Annual (rounded)	1,256	6,280		1570		\$53,412

In conclusion, for the “prospecting” phase, FMCSA estimates a total annual burden cost of \$149,544 (\$96,132 + \$53,412 = \$149,544) for these requirements.

II. Second Phase: “Contact”

As established above, for the second phase, FMCSA estimates 3,730 annual burden hours.-For the requirements of the regulations bearing on this section, see [Figure 2](#).

For this revision, this estimation was broken up into two parts: hours between brokers and motor carriers, and hours between brokers and shippers. For brokers and motor carriers, FMCSA estimates 314 hours for the broker to revise their “list of motor carriers” based on when they update their agreements with motor carriers.²² The second part is the estimate of time spent between brokers and shippers, which is 3,416 hours. This includes the time for brokers to collect the revised list of motor carriers and the statement of role (which confirms that the broker is arranging rather than performing shipment) and to submit it to requesting shippers.

FMCSA anticipates the broker will be the person who updates the “list of motor carriers” and collects the “list of motor carriers” and statement and submits these items to shippers. With the broker’s loaded hourly wage rate of \$34.02 and 3,416 burden hours, FMCSA estimates an annual total labor cost of \$116,224. Consistent with [Table 3](#) and [Table 15](#) and [Table 16](#) provide summaries of the respondent cost calculation.

Table 15. Total Burden Costs for Second Phase “Contact,” Costs between Brokers and Motor Carriers (Part 1 of 2)

Year	Number of Respondents	Number of Responses	Average Burden Hours per	Total Burden Hours	Loaded Hourly Wage	Total Labor Costs
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²² Note the actual time to complete one agreement between a motor carrier and a broker is estimated in the third phase.

	(a)	(a × 5 = b)	Response (c)	(b × c = d)	(e)	(d × e)
2024	1,256	6,280	0.05	314	\$ 34.02	\$10,682
2025	1,256	6,280	0.05	314	\$ 34.02	\$10,682
2026	1,256	6,280	0.05	314	\$ 34.02	\$10,682
Total	3,768	18,840		942		\$32,047
<i>Annual (rounded)</i>	<i>1,256</i>	<i>6,280</i>		<i>314</i>		<i>\$10,682</i>

Table 16. Total Burden Costs for Second Phase “Contact,” Costs between Brokers and Shippers (Part 2 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 160 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	200,960	0.017	3,416	\$ 34.02	\$116,224
2025	1,256	200,960	0.017	3,416	\$ 34.02	\$116,224
2026	1,256	200,960	0.017	3,416	\$ 34.02	\$116,224
Total	3,768	602,880		10,249		\$348,673
<i>Annual (rounded)</i>	<i>1,256</i>	<i>200,960</i>		<i>3,416</i>		<i>\$116,224</i>

In conclusion, for the “contact” phase, FMCSA estimates a total annual burden cost of \$126,907 (\$10,682 + \$116,224 = \$126,907) for these requirements.

III. Third Phase: “Estimate”

As established above, the third phase estimates a total of 61,230 annual burden hours. For the exact requirements that comprise phase 3, see . This estimate is broken out into two parts: 25,120 hours for the broker to form agreements with motor carriers (hours between brokers and motor carriers), and 36,110 hours for the broker to collect remaining information and submit to shippers (hours between brokers and shippers). FMCSA expects that the broker will be assuming all annual hours.

As established in section 12 phase I, a broker’s loaded hourly wage rate is \$34.02. With a total of 61,230 annual burden hours, FMCSA estimates an annual total labor cost of \$2,083,063 (\$34.02 × 61,230 = \$2,083,063). As with [Table 6](#), and [Table 8](#), [Table 17](#), [Table 18](#), and [Table 19](#) are provided to summarize the respondent cost calculations.

Table 17. Total Burden Cost for Third Phase “Estimate,” Costs between Brokers and Motor Carriers (part 1 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 5 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
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2024	1,256	6,280	4	25,120	\$ 34.02	\$854,590
2025	1,256	6,280	4	25,120	\$ 34.02	\$854,590
2026	1,256	6,280	4	25,120	\$ 34.02	\$854,590
Total	3,768	18,840		75,360		\$2,563,770
<i>Annual (rounded)</i>	<i>1,256</i>	<i>6,280</i>		<i>25,120</i>		<i>\$854,590</i>

Table 18. Total Burden Costs for Third Phase “Estimate,” Costs between Brokers and Shippers, Applied to 100 Shippers (part 2 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 100 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	125,600	0.275	34,540	\$ 34.02	\$1,175,061
2025	1,256	125,600	0.275	34,540	\$ 34.02	\$1,175,061
2026	1,256	125,600	0.275	34,540	\$ 34.02	\$1,175,061
Total	3,768	376,800		103,620		\$3,525,183
<i>Annual (rounded)</i>	<i>1,256</i>	<i>125,600</i>		<i>34,540</i>		<i>\$1,175,061</i>

Table 19. Total Burden Costs for Third Phase “Estimate,” Costs between Brokers and Shippers, Applies to 50 Shippers (part 2 of 2)

Year	Number of Respondents (a)	Number of Responses (a × 97= b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	62,800	0.025	1,570	\$ 34.02	\$53,412
2025	1,256	62,800	0.025	1,570	\$ 34.02	\$53,412
2026	1,256	62,800	0.025	1,570	\$ 34.02	\$53,412
Total	3,768	188,400		4,710		\$160,236
<i>Annual (rounded)</i>	<i>1,256</i>	<i>62,800</i>		<i>1,570</i>		<i>\$53,412</i>

In conclusion, for the “estimate” phase, FMCSA estimates a total annual respondent cost of \$2,083,063 (\$521,590 + \$1,175,061 + \$53,412 = \$2,083,063) for these requirements.

IV. Fourth Phase: “Agreement”

The fourth phase estimates a total of 18,388 annual burden hours. These hours concern engagement between brokers and shippers. For the exact requirements that comprise phase 4, see . FMCSA assumes the broker will undertake all the associated burden hours. With a broker’s

loaded hourly wage rate of \$34.02 and 18,388 hours, FMCSA estimates a respondent cost of \$625,560 ($\$34.02 \times 18,388 = \$625,560$). [Table 20](#) provides a summary for this calculation.

Table 20. Total Burden Costs for Fourth Phase “Agreement”

Year	Number of Respondents (a)	Number of Responses (a × 154 = b)	Average Burden Hours per Response (c)	Total Burden Hours (b × c = d)	Loaded Hourly Wage (e)	Total Labor Costs (d × e)
2024	1,256	100,480	0.183	18,388	\$ 34.02	\$625,560
2025	1,256	100,480	0.183	18,388	\$ 34.02	\$625,560
2026	1,256	100,480	0.183	18,388	\$ 34.02	\$625,560
Total	3,768	301,440		55,164		\$1,876,679
<i>Annual (rounded)</i>	<i>1,256</i>	<i>100,480</i>		<i>18,388</i>		<i>\$625,560</i>

In conclusion, for the “agreement” phase, FMCSA estimates \$625,560 annual burden cost for these requirements.

For the *Annual Burden Cost Estimate*, the breakout is as follows for each phase:

Table 21. Respondents, Responses, Burden Hours and Cost Burden Summary

Phase	No. of Respondents	No. of Responses	Burden Hours	Cost Burden
I First Phase “Prospecting”	1,256	6,280	3,140	\$ 149,544
II Second Phase “Contact”	1,256	207,240	3,730	\$ 126,907
III Third Phase “Estimate”	1,256	194,680	61,230	\$ 2,083,063
IV Fourth Phase “Agreement”	1,256	100,480	18,388	\$ 625,560
TOTAL		508,680	86,488	\$ 2,985,073

The total annual burden cost estimate for this information collection request is \$2,985,073.

13. ESTIMATES OF TOTAL ANNUAL COSTS TO RESPONDENTS.

There are no non-labor costs to the respondents, such as start-up costs or operation/maintenance costs, to be reported. FMCSA does not separately account for start-up costs, operation/maintenance and record keeping costs within this ICR because these costs do not exceed routine broker business practices. FMCSA assumes that all contacts/disclosures will be made digitally, therefore there are no mailing costs.

ESTIMATE OF COST TO THE FEDERAL GOVERNMENT.

HHG brokers are required to provide information and make information available to shippers, but the federal government does not routinely collect information for this burden. Therefore, this IC does not impose costs on the federal government.

14. EXPLANATION OF PROGRAM CHANGES OR ADJUSTMENTS.

FMCSA revises the total annual burden to 86,488 hours. This is a 13,380 annual burden hour increase from the currently approved 72,808 annual burden estimate. The number of responses also increased from 500,084 to 508,680. These increases are because FMCSA’s records indicate the number of HHG brokers increased from 652 brokers to 1,256 brokers.

As a result of these adjustments, the estimate of annual costs to respondents is revised upward from **\$2.365 million** to **\$2.985 million**, an increase of \$0.620 million.

The table below displays these adjustments.

Table 22. Change in burden from approved collection

Information Collection Version	Annual Number of Respondents	Annual Number of Responses	Annual Burden Hours	Annual Cost Burden
Currently Approved under OMB Control Number 2126-0048	652	500,084	72,808	\$ 2,364,625
Revised Estimates	1,256	508,680	86,488	\$ 2,985,073
Total Change in Burden from the Currently Approved Collection of Information	604	8,596	13,680	\$ 620,448

15. PUBLICATION OF RESULTS OF DATA COLLECTION.

The results of this information collection will not be published.

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

The FMCSA is not seeking approval to not display the expiration date of OMB approval of the information collection.

17. EXCEPTIONS TO CERTIFICATION STATEMENT.

There are no exceptions to the certification statement.

Attachments

Attachment A – 49 CFR part 371

Attachment B – Brokers of HHG Final Rule (75 FR 72987), November 29, 2010.

Attachment C – Petition for Rulemaking, American Moving and Storage Association (AMSA)

Attachment D – Section 4212 of SAFETEA-LU

Attachment E – “Ready to Move” Brochure, April 14, 2006.

Attachment F – “Your Rights and Responsibilities When You Move” Pamphlet, Original published, Update published 2013.

Attachment G – 60-day FR Notice (89 FR 3983), January 1, 2024.

Attachment H – 30-day FR Notice (89 FR 45735), May 23, 2024.