

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

**SUPPORTING STATEMENT  
Financial Responsibility for Motor Carriers of Passengers  
and Motor Carriers of Property  
OMB Control No. 2126-0008**

**SUMMARY**

- This ICR is a renewal. This ICR renewal has a program adjustment of an increase of 347,765 responses and 8,103 burden hours as shown in section 12. The increase is due to an increase in the number of entities that registered from 2020-2022 and were required to obtain operating authority registration. On average, the number of entities that registered from 2017-2019 and 2020-2022 increased by 51 percent.
- The ICR consists of the burden calculations for the completion and storage of the MCS-90 and MCS-82 forms by property carriers, as well as burden calculations for passenger carriers to complete and store the MCS 90-B and MCS 82B forms. The burden calculations for U.S., Mexican, Non-North American (NNA), and Canadian carriers to maintain copies of forms MCS-90, MCS-90B, MCS-82, and/or MCS-82B, is also calculated.

**INTRODUCTION**

The Federal Motor Carrier Safety Administration (FMCSA) submits to the Office of Management and Budget (OMB) its request to renew a currently approved information collection request (ICR) titled “*Financial Responsibility for Motor Carriers of Passengers and Motor Carriers of Property*” and covered by OMB Control Number 2126-0008. This ICR is due to expire on May 31, 2024.

**Part A. Justification**

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

Interstate motor carriers and transportation intermediaries, as well as certain intrastate hazardous materials carriers, are required by law to maintain minimum levels of financial responsibility.<sup>1</sup>

The Federal Government has long required motor carriers, brokers, and freight forwarders to maintain certain levels of financial responsibility, either through insurance, a bond, or other

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<sup>1</sup> FMCSA, “Examining the Appropriateness of the Current Financial Responsibility and Security Requirements for Motor Carriers, Brokers, and Freight Forwarders – Report to Congress, A Report Pursuant to Section 32104 of the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141).” Washington, D.C. April 2014.

financial security, as a means to protect the public in the event of a crash and to protect carriers and shippers against dishonest and financially unstable brokers. The Motor Carrier Act of 1935 first directed the establishment of Federal rules and regulations for interstate motor carrier operations that govern “security for the protection of the public.”<sup>2</sup>

Sections 29 and 30 of the Motor Carrier Act of 1980 (codified at 49 U.S.C. § 31139, see Attachment A) require the Secretary of Transportation (Secretary) to promulgate regulations that establish minimum levels of financial responsibility for motor carriers of property to cover public liability, property damage, and environmental restoration.

Those regulations are found in 49 CFR Part 387, Minimum Levels of Financial Responsibility for Motor Carriers, which requires insurers or sureties covering motor carriers of property to file form MCS-90 as evidence their client’s insurance policy meets the minimum level of financial responsibility, or file MCS-82 as evidence their client’s surety bond meets the minimum requirement for a surety bond.

Section 18 of the Bus Regulatory Reform Act of 1982 (codified at 49 U.S.C. § 31138, see Attachment B) requires the Secretary to promulgate regulations that establish minimum levels of financial responsibility for for-hire motor carriers of passengers to cover public liability and property damage. In accordance with 49 CFR Part 387, insurers or sureties covering motor carriers of passengers file form MCS-90B as evidence that a carrier’s policy meets the minimum level of financial responsibility, or form MCS-82B as evidence a carrier’s surety bond instrument meets the minimum requirement.

The Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Forms MCS-90 and MCS-90B) and the Motor Carrier Public Liability Surety Bond under Section 18 of the Bus Regulatory Reform Act of 1982 (Forms MCS-82 and MCS-82B) contain the minimum amount of information necessary to document that a motor carrier has obtained, and has in effect, the required levels of financial responsibility as set forth in applicable regulations (see 49 CFR § 387.9 (motor carriers of property) and 49 CFR § 387.33T (motor carriers of passengers), both at Attachment C). FMCSA regulations state that such carriers of property and passengers may not operate until they have obtained minimum levels of financial responsibility (see 49 CFR §§ 387.7(a) and 387.31(a) for property and passengers, respectively).

The currently approved information collection supports the Department of Transportation’s (DOT’s) Strategic Goal of “Safety” because the information concerns the safe operation of commercial motor vehicles (CMVs) by drivers who operate in interstate commerce on the Nation’s highways.

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

FMCSA and the public use the information collected to verify that a motor carrier of property or passengers has obtained, and has in effect, the required minimum levels of financial responsibility. While the financial instrument policies themselves are between motor carriers and insurers/sureties for proprietary reasons, the financial responsibility

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<sup>2</sup> FMCSA, “Examining the Appropriateness,” April 2014.

requirements of forms MCS-90, MCS-90B, MCS-82, MCS-82B is public information. These forms assure the public that carriers operating on public interstate highways meet the minimum levels of financial responsibility to the public. All carriers are required to provide a copy of these forms upon reasonable requests made by the public (see 49 CFR § 387.31(e)(1)).

Insurers or sureties file forms MCS-90, MCS-90B, MCS-82, MCS-82B to FMCSA when a carrier is seeking an operating authority and must update them as necessary. U.S., Mexican, Non-North American (NNA), and Canadian carriers seeking an operating authority must also maintain copies of forms MCS-90, MCS-90B, MCS-82, and/or MCS-82B.

U.S. carriers must keep a copy of their forms at their principal place of business. Mexican, NNA, and Canadian carriers must store a copy of these forms on each vehicle when entering the U.S. and must provide a copy of these forms to Federal or State enforcement officials during roadside inspections (see 49 CFR § 387.303(b)(4)).

This IC covers the following information collections:

**IC-1.1**—The completion of Form MCS-90, *Endorsement for Motor Carrier Policies of Insurance for Public Liability* Under Sections 29 and 30 of the Motor Carrier Act of 1980; or **IC-1.2**—The completion of Form MCS-82, *Motor Carrier Public Liability Surety Bond* Under Sections 29 and 30 of the Motor Carrier Act of 1980; and **IC-1.3** - Document Storage of Form MCS-90 or MCS-82.

**IC-2.1** The completion of Form MCS-90B, *Endorsement for Motor Carrier Policies of Insurance for Public Liability* Under Section 18 of the Bus Regulatory Reform Act of 1982; or **IC-2.2**—The completion of Form MCS-82B, *Motor Carrier Public Liability Surety Bond* Under Section 18 of the Bus Regulatory Reform Act of 1982; and **IC-2.3** - Document storage of Form MCS-90B or MCS-82B.

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

Insurance companies and agents provide the endorsements (Forms MCS-90/90B) and surety bonds (Forms MCS-82/82B) directly to motor carriers to document that required levels of financial responsibility are in place. For this reason, FMCSA has little information on the extent to which insurers prepare and transmit these forms electronically or through other automated means. There are no FMCSA requirements that would prohibit or interfere with automation of this information collection between insurers and insured motor carriers.

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

There are no similar financial responsibility paperwork burdens made by any other Federal agency or within the DOT that would result in duplication of this information.

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

The requirement to obtain and have in effect a minimum level of financial responsibility applies to many for-hire motor carriers of non-hazardous property in interstate or foreign

commerce and most for-hire and private motor carriers of hazardous waste, hazardous materials, and hazardous substances, in interstate, foreign, or intrastate commerce. A significant portion of the motor carriers subject to this information collection are small businesses. FMCSA cannot further reduce the burden without neglecting statutory obligations.

The requirement to obtain and have in effect a minimum level of financial responsibility applies to all for-hire motor carriers of passengers in interstate commerce, regardless of size, subject to exceptions.<sup>3</sup> FMCSA cannot further reduce the burden without neglecting statutory obligations.

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

An insurance endorsement may be required to be completed by a motor carrier upon one of the following events: (1) the establishment of a new motor carrier operation subject to the financial responsibility requirements, (2) an operational change to the type of carriage (property) or change in seating capacity of vehicles operated (passenger) which changes the required level of financial responsibility, (3) a change in the amount of primary insurance, (4) a change of the insurance policy number, (5) the issuance of a new insurance policy, or (6) the replacement of a surety bond with an insurance policy.

A surety bond may be required to be completed by a motor carrier upon one of the following events: 1) the establishment of a new motor carrier operation subject to the financial responsibility requirements, (2) a change to the type of carriage (property) or change in seating capacity of vehicles operated (passenger) which changes the required level of financial responsibility, or (3) the replacement of an insurance policy with a surety bond (4) a change of the surety bond policy number, (5) the issuance of a new surety bond policy.

The frequency of this information collection cannot be reduced. The elimination of this information collection would hinder the ability of FMCSA to ensure that motor carriers of property and passengers have in effect an appropriate level of financial responsibility for the types of commodities transported (property) or seating capacity (passenger) of vehicles operated on the public highways.

## **7. SPECIAL CIRCUMSTANCES**

There are no special circumstances with this information collection.

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

On October 3, 2023, FMCSA published a notice in the Federal Register (88 FR 68273) with a 60-day public comment period to announce its intention to submit this ICR to OMB for renewal (see Attachment D). FMCSA received no comments in response to the published notice.

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<sup>3</sup> 49 United States Code 31138(b).

## **9. PAYMENTS OR GIFTS TO RESPONDENTS**

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

## **10. ASSURANCE OF CONFIDENTIALITY**

These records are not confidential.

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

There are no questions of a sensitive nature.

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

### **ASSUMPTIONS FOR BURDEN ESTIMATES**

The following are assumptions made to estimate the annual hourly burden estimate.

### **Part 1: Form Completion IC 1.1, 1.2, 2.1, and 2.2**

Motor carriers of property or passengers generally obtain their required level of financial responsibility through an insurance policy. Once a motor carrier's insurance policy is obtained, the motor carrier's insurer completes form MCS-90 (property) or MCS-90B (passengers) and sends the motor carrier a copy. All motor carriers store these forms at their principal place of business (PPOB). The forms are completed on a one-time basis if the insurance policy, as identified by the policy number on the Form MCS-90, is still valid upon the renewal of insurance. However, if the policy number has changed or the insurance policy has been canceled in accordance with the terms shown on Form MCS-90, then a new Form MCS-90 must be completed.<sup>4</sup> Through conversations with industry stakeholders, FMCSA assumes the turnover rate of the existing universe of policies is about 25 percent on an annual basis due to policy termination and issuance of new policies.

Another financial instrument that motor carriers of property and/or passengers may use to meet their financial responsibility is a surety bond. Once a motor carrier's surety bond is obtained, the motor carrier's surety institution prepares the MCS-82 (property) or MCS-82B (passenger) forms and submits a copy to the motor carrier where the motor carrier stores the form at their principal place of business. The forms are completed on a one-time basis unless the surety bond contract is terminated and a new surety bond contract is issued. Through conversations with industry stakeholders, FMCSA assumes surety bond turnover is about 25 percent of the existing surety bond population due to surety bond terminations and new surety bond contracts issued.

FMCSA assumes the property and passenger motor carrier universe is the same as the

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<sup>4</sup> FMCSA Part 387 Section 387.15: Forms Guidance Q&A, Question 4: Question 4: Must a motor carrier obtain a new Form MCS-90 each year if it retains the same insurance company? Available at <https://www.fmcsa.dot.gov/regulations/title49/section/387.15>

insurance and surety bond universe.

In addition to the policy turnover expected from the existing universe of passenger and property motor carriers, it is reasonable to expect new motor carriers entering the market will seek an insurance policy or surety bond for the first time. To estimate new motor carriers to the market we take the previous iteration of this ICR which showed there were an average of 229,005 property carriers and 4,159 passenger carriers per year for the years 2017, 2018 and 2019 or a total of 233,164 property and passenger motor carriers per year.<sup>5</sup> For this iteration, FMCSA records show that for years 2020, 2021, and 2022 on average there were 347,022 property motor carriers per year and 5,088 passenger carriers for a total of 352,110 carriers per year.<sup>6</sup> This shows that the number of property carriers increased by an average of 118,017 per year and passenger carriers increased by 929 per year. See Error: Reference source not found for summary. FMCSA uses the average annual growth of property and passenger carriers as the estimate for the number of new annual MCS-90 (property/insurance), MCS-82 (property/surety), MCS-90B (passenger/insurance), and MCS-82B (passenger/surety) forms that will be completed by the motor carrier's insurer or surety bond institution for the years 2023, 2024, and 2025.

**Table 1. Estimated Annual Motor Carrier Entities**

Carrier Type	ICR Number	Estimated Annual Total Carriers (a)	Estimated Annual Total Carriers from the Previous ICR (b)	Difference (c= a – b)
Property Carriers	1	347,022	229,005	+118,017
Passenger Carriers	2	5,088	4,159	+929
<b>Total</b>		<b>352,110</b>	<b>233,164</b>	<b>+118,946</b>

For the turnover of insurance policies or surety bonds issued annually, FMCSA takes the 347,022 property carriers' universe and 5,088 passenger carriers' universe and multiplies by the turnover rate. For example, it can be expected there will be 86,756 ( $347,022 \times .25 = 86,756$ ) forms MCS-90 and MCS-82 and 1,272 ( $5,088 \times .25 = 1,272$ ) forms MCS-90B and MCS-82B completed.

In summarizing new annual forms submitted by first time property or passenger carriers and new forms submitted from annual policy or surety bond turnover, a respondent population of 206,974 is estimated. See Error: Reference source not found for summary.

**Table 2. Estimated Annual Total Respondents**

Carrier	Respondents (New)	Respondents (25% of	Total	Applicable Form	ICR
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<sup>5</sup> FMCSA's Motor Carrier Management Information System (MCMIS) and L&I Database as of 12/28/2018, 12/29/2017, 12/30/2016, accessed March 2019.

<sup>6</sup> Source: FMCSA's Motor Carrier Management Information System (MCMIS) and L&I Database as of 12/30/2022, 12/31/2021, 12/18/2020, accessed July 2023.

Type	Entry Carriers) (a=Table 1 column c)	Existing Carrier Population) (b=Table 1 column a × .25)	Number of Annual Respondents (c = a + b)		Number
Property Carriers	118,017	86,756	204,773	MCS-90 (insurance)	1.1
				MCS-82 (surety)	1.2
Passenger Carriers	929	1,272	2,201	MCS-90B (insurance)	2.1
				MCS-82B (surety)	2.2
<b>Total</b>	<b>118,946</b>	<b>88,028</b>	<b>206,974</b>		

FMCSA records indicate that, on average, 99.5 percent of property carriers meet their financial responsibility requirements through insurance policies, with the remaining 0.5 percent of carriers using surety bonds. For passenger carriers, FMCSA records show that financial responsibility is met 100 percent of the time through insurance policies.

For example, if 204,773 annual property carriers will complete forms MCS-90 (insurance) or MCS-82 (surety) per year in 2023, 2024, and 2025 then 203,749 ( $204,773 \times .995 = 203,749$ ) will complete form MCS-90 (insurance) and 1,024 ( $204,773 \times .005 = 1,024$ ) will complete form MCS-82 (surety). If there are 2,201 annual passenger carriers completing forms MCS-90B (insurance) or MCS-82B (surety), then 2,201 ( $2,201 \times 1 = 2,201$ ) passenger carriers are expected to submit form MCS-90B per year. See Error: Reference source not found for summary.

**Table 3. Total Number of Respondents to Complete Forms**

Carrier Type	Total Number of Annual Respondents (a=Table 2 column c)	Percent Split between Insurance & Surety Forms (b)	Total Number of Annual Respondents per Form (c = a × b)	Applicable Form	ICR Number
Property Carriers	204,773	99.5%	203,749	MCS-90 (insurance)	1.1
		0.5%	1,024	MCS-82 (surety)	1.2
Passenger Carriers	2,201	100%	2,201	MCS-90B (insurance)	2.1
		0%	0	MCS-82B (surety)	2.2
<b>Total</b>	<b>206,974</b>		<b>206,974</b>		

For the estimated annual burden for respondents to complete each form, FMCSA continues to estimate each form takes 2 minutes or 0.033 hours (2 minutes/60 minutes = 0.033 hours) to complete by the motor carrier's insurer or surety bond institution. The annual burden to complete form MCS-90 (property insurance), MCS-82 (property surety), MCS-90B (passenger insurance), and MCS-82B (passenger surety) is 6,724, 34, 73, and 0 hours, respectively, for a total annual burden of 6,830 hours. See Error: Reference source not found for summary.

**Table 4 Total Hourly Annual Burden for Respondents to Complete Forms**

Carrier Type	Total Number of Annual	Number of Responses per	Hourly Burden per	Total Hourly Burden per	Applicable Form	ICR Number
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	<b>Respondents per Form</b> (a=Table 3 column c)	<b>Form</b> (b = a × 1)	<b>Response</b> (c)	<b>Form</b> (d=b × c)		
Property Carriers	203,749	203,749	0.033	6,724	MCS-90 (insurance)	1.1
	1,024	1,024	0.033	34	MCS-82 (surety)	1.2
Passenger Carriers	2,201	2,201	0.033	73	MCS-90B (insurance)	2.1
	0	0	0.033	0	MCS-82B (surety)	2.2
<b>70,037</b>	<b>206,974</b>	<b>206,974</b>		<b>6,830</b>		

### **Part 1: Total Respondents, Responses and Annual Burden Hours to Complete Forms**

In summary, there are a total of 206,974 insurer or surety bond institution respondents who will complete 206,974 responses of forms MCS-90, MCS-82, MCS-90B MCS-82B for an annual hourly burden of 6,830.

#### **Total Respondents and Responses per IC**

+ 203,749 respondents will complete 1 form MCS-90 (property insurance), IC 1.1  
+ 1,024 respondents will complete 1 form MCS-82 (property surety), IC 1.2  
+ 2,201 respondents will complete 1 form MCS-90B (passenger insurance), IC. 2.1  
+ 0 respondents will complete 1 form MCS-82 (passenger surety), IC.2.2  
206,974 total annual respondents to complete 206,974 forms.

#### **Annual Hourly Burden for Form Completion**

+ 6,724 annual hourly burden for form MCS-90 (property insurance), IC 1.1  
+ 34 annual hourly burden for form MCS-82 (property surety), IC 1.2  
+ 73 annual hourly burden for form MCS-90B (passenger insurance), IC. 2.1  
+ 0 annual hourly burden for form MCS-82 (passenger surety), IC 2.2  
6,830 total annual hourly burden hours to complete forms.

### **Summary for IC-1.1, IC-1.2, IC-2.1, IC-2.2**

**Annual Number of Respondents: 206,974**

**Annual Number of Responses: 206,974**

**Annual Burden Hours: 6,830**

### **Part 2: Form Storage IC 1.3 and 2.3**

The second part associated with this annual hourly burden estimate is the hourly burden associated with motor carriers that must store the forms.

All property motor carriers and passenger motor carriers are required to store one copy of the applicable form at their PPOB. In addition to the requirement to store the forms at their PPOB, Mexican, Non-North American (NNA) and Canadian carriers are also required to store one copy in each of their applicable vehicles when operating in the United States (see



49 CFR 387.7(f) and 49 CFR 387.303(b)(4)). FMCSA continues to estimate each motor carrier respondent will take 1 minute or 0.017 hours (1 minute/60 minutes = 0.017 hours) to store each applicable form at their principal place of business.

FMCSA records indicate that out of the 347,022 annual average total property carriers, United States carriers represent 94 percent of the total population with the remaining 6 percent representing Mexico, NNA and Canadian carriers. For the average annual passenger carriers, FMCSA records indicate that out of the 5,088 annual average passenger carriers, United States carriers represent 93 percent of the total carrier population with the remaining 7% representing Mexico, NNA and Canada carriers.

To estimate the number of responses per respondents to store forms, FMCSA applies these ratios to the relevant population. See Error: Reference source not foundError: Reference source not found for summary.

**Table 5. Respondent Population Required to Store Forms**

Carrier Type	Number of Respondents  (a=Table 3 column a)	Percent Split between United States carriers vs. Mexico, NNA & Canada  (b)	Total Number of U.S. Respondents  (c =a ×U.S. value of b)	Total Number of Mexico, NNA and Canada Respondents  (d=a ×non-U.S. value of b)	Applicable Form
Property Carriers	203,749	94%/6%	191,524	12,225	MCS-90 (insurance)
	1,024	94%/6%	962	61	MCS-82 (surety)
Passenger Carriers	2,201	93%/7%	2,069	132	MCS-90B (insurance)
	0	93%/7%	0	0	MCS-82B (surety)
<b>Total</b>	<b>206,974</b>		<b>194,555</b>	<b>12,418</b>	

As United States property and passenger carriers are only required to store one copy at their primary place of business, the estimated hourly burden for this storage is 3,307 burden hours ( $194,555 \times .017 \times 1 = 3,307$ ). See Error: Reference source not found for summary.

**Table 6 Total United States Respondents Hourly Burden to Store Forms**

Carrier Type	Number of U.S. Respondents  (a=Table 5 column c)	Number of U.S. Responses  (b= a × 1)	Hourly Burden per Response  (c)	Total U.S. Hourly Burden	Applicable Form	ICR Number
Property Carriers	191,524	191,524	0.017	3,256	MCS-90 (insurance)	1.3
	962	962	0.017	16	MCS-82 (surety)	1.3
<b>Sub-Total</b>	<b>192,486</b>	<b>192,486</b>	-	<b>3,272</b>	-	-
Passenger Carriers	2,069	2,069	0.017	35	MCS-90B (insurance)	2.3
	0	0	0.017	0	MCS-82B (surety)	2.3
<b>Sub-Total</b>	<b>2,069</b>	<b>2,069</b>	-	<b>35</b>	-	-
<b>Total</b>	<b>194,555</b>	<b>194,555</b>		<b>3,307</b>		

FMCSA continues to assume that each Mexican, NNA and Canadian motor carrier has an average of nine vehicles. As Mexico, NNA, and Canada motor carriers are required to store a copy in each vehicle while operating in the US, and it takes 1 minute to store a copy in each vehicle, the estimated annual burden is 1,900 hours ( $12,418 \times .017 \times 9 = 1,900$ ). In addition, Mexico, NNA and Canada motor carriers are required to store a copy of each applicable form at their PPOB, bringing the estimated annual burden to 2,111 hours ( $12,418 \times .017 \times 10 = 2,111$ ). See Error: Reference source not found for summary.

**Table 7 Total Mexico, NNA and Canada Respondents Hourly Burden to Store Forms**

Carrier Type	Number of Mexico, NNA and Canada Respondents (a=Table 5 column d)	Number of Mexico, NNA and Canada Responses (b= a × 10)	Hourly Burden to Store Form (c)	Total Mexico, NNA, and Canada Hourly Burden	Applicable Form	ICR Number
Property Carriers	12,225	122,250	0.017	2078	MCS-90 (insurance)	1.3
	61	610	0.017	10	MCS-82 (surety)	1.3
<b>Sub-Total</b>	<b>12,286</b>	<b>122,860</b>	-	<b>2,089</b>	-	-
Passenger Carriers	132	1,320	0.017	22	MCS-90B (insurance)	2.3
	0	0	0.017	0	MCS-82B (surety)	2.3
<b>Sub-Total</b>	<b>132</b>	<b>1,320</b>	-	<b>22</b>	-	-
<b>Total</b>	<b>12,418</b>	<b>124,180</b>		<b>2,111</b>		

## **Part II: Total Respondents, Responses and Annual Burden Hours to Store Forms**

In summary, there are a total of 206,974 United States, Mexico, NNA, and Canadian motor carrier respondents who will store 318,735 ( $194,555 + 124,180 = 318,735$ ) forms MCS-90, MCS-82, MCS-90B MCS-82B. It will take these respondents a total of 5,419 ( $3,307 + 2,111 = 5,419$ ) annual burden hours.

### **Total United States Respondents and Responses**

+ 191,524 United States respondents will store 1 form, MCS-90 (property insurance), IC 1.3  
+ 962 United States respondents will store 1 form MCS-82 (property surety), IC 1.3  
+ 2,069 United States respondents will store 1 form MCS-90B (passenger insurance), IC 2.3  
+ 0 United States respondents will store 1 form MCS-82 (passenger surety), IC 2.3  
194,555 total annual respondents to store 194,555 forms.

### **Total Mexico, NNA, and Canada Respondents and Responses**

+12,225 Mexico, NNA and Canada respondents will store 10 forms, MCS-90 (property insurance), IC 1.3  
+ 61 Mexico, NNA, and Canada respondents will store 10 forms, MCS-82 (property surety), IC 1.3  
+ 132 Mexico, NNA, and Canada respondents will store 10 forms, MCS-90B (passenger insurance), IC 2.3

+ 0 Mexico, NNA, and Canada respondents will store 10 forms, MCS-82 (passenger surety), IC 2.3  
12,418 total Mexico, NNA and Canada respondents to store 124,180 forms.

**Annual United States, Mexico, NNA Respondents Hourly Burden**

+5,334 annual hourly burden for form MCS-90 (prop. insurance), IC 1.3  
+ 27 annual hourly burden for form MCS-82 (property surety), IC 1.3  
+ 58 annual hourly burden for form MCS-90B (passenger insurance), IC 2.3  
+ 0 annual hourly burden for form MCS-82 (passenger surety), IC 2.3  
5,419 total annual burden hours to store forms.

**Summary for IC-1.3 and IC-2.3**

**Annual Number of Respondents: 206,974**

**Annual Number of Responses: 318,735**

**Annual Burden Hours: 5,419**

**Part I Form Completion and Part II Form Storage Summary**

Total Annual Respondents: **413,948** (206,974 form completion + 206,974 form storage = 413,948 respondents).

Total Annual Responses: **525,709** (206,974 form completion + 318,735 form storage = 525,709 responses)

Total Burden Hours: **12,249** (6,830 form completion + 5,419 form storage = 12,249 burden hours)

**ASSUMPTIONS FOR BURDEN COST ESTIMATES**

Forms MCS-90, MCS-90B, MCS-82, MCS-82B are expected to be completed by United States, Mexico, NNA, and Canada motor carrier insurers or financial institutions and be stored by the respective carrier. When estimating respondent hourly burden costs, because less than 7% of the respondent universe is represented by Mexico, NNA, and Canada respondents, FMCSA applies the same United States labor category and wages for all respondents.

**Part 1: Form Completion IC 1.1, 1.2, 2.1, and 2.2**

FMCSA expects completion of forms MCS-90 (property insurance) and MCS-90B (passenger insurance) to be performed by insurance underwriters. The median salary of an insurance underwriter is \$36.65 per hour.<sup>7</sup> To arrive at a loaded wage, FMCSA divides the total cost of compensation for private insurance carriers (\$57.73) by the median cost of hourly wages and salaries of insurance carriers (\$37.73) as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation for March 2023.<sup>8</sup> This calculation results in a load factor of 1.53. Multiplying the median hourly wage by the load

<sup>7</sup> Bureau of Labor Statistics (2023). "Occupational Employment and Wages, May 2022, 13-2053 Insurance Underwriters." Available at [Insurance Underwriters \(bls.gov\)](https://www.bls.gov/oes/2022/may/13-2053_insurance_underwriters.html) (accessed July 30, 2023).

<sup>8</sup> Bureau of Labor Statistics (2023). "Table 4. Employer Costs for Employee Compensation for private industry workers by occupational and industry group, March 2023." Available at [Table 4. Private industry workers by occupational and industry group - 2023 Q01 Results \(bls.gov\)](https://www.bls.gov/news.release/ocw2.t4.pdf) (accessed July 30, 2023).

factor results in a loaded hourly wage of \$56.08 ( $\$36.65 \times 1.53 = \$56.08$ ). Error: Reference source not found shows the estimated hourly labor cost to complete forms MCS-90 and MCS-90B is \$381,139 per year.

**Table 8. Estimated Annual Cost for Respondents to Complete Insurance Forms MCS-90 and MCS-90B**

Carrier Type	Total Number of Respondents (a)	Total Number of Responses (b = a × 1)	Hourly Burden per Response (c)	Total Hourly Burden (d = b × c)	Total Hourly Burden Cost (e = d × \$56.08)	Applicable Form	ICR Number
Property Carriers	203,749	203,749	0.033	6,724	\$377,066	MCS-90 (insurance)	1.1
Passenger Carriers	2,201	2,201	0.033	73	\$4,073	MCS-90B (insurance)	2.1
<b>Total</b>	<b>205,950</b>	<b>205,950</b>		<b>6,796</b>	<b>\$381,139</b>		

FMCSA expects completion of form MCS-82 (property surety bond) and MCS-82B (passenger surety bond) to be performed by a financial specialist. The median salary of a financial specialist is \$35.48 per hour.<sup>9</sup> To arrive at a loaded wage, FMCSA divides the total cost of compensation for private financial workers (\$56.63) by the median cost of hourly wages and salaries of financial workers (\$37.52) as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation for March 2023,<sup>10</sup> which results in a load factor of 1.51. Multiplying the median hourly wage by the load factor results in a loaded hourly wage of \$53.55 ( $\$35.48 \times 1.51 = \$53.55$ ). Error: Reference source not found shows the estimated hourly labor cost to complete forms MCS-82 and MCS-82B, which is \$1,809 per year.

**Table 9. Estimated Annual Cost for Respondents to Complete Surety Bond Forms**

Carrier Type	Total Number of Respondents (a)	Total Number of Responses (b = a × 1)	Hourly Burden per Response (c)	Total Hourly Burden (d = b × c)	Total Hourly Burden Cost (e = d × \$53.55)	Applicable Form (a)	ICR Number
Property Carriers	1,024	1,024	0.033	34	\$1,809	MCS-82 (surety)	1.2
Passenger Carriers	0	0	0.033	0	\$0	MCS-82B (surety)	2.2
<b>Total</b>	<b>1,024</b>	<b>1,024</b>		<b>34</b>	<b>\$1,809</b>		

<sup>9</sup> Bureau of Labor Statistics (2023). "Occupational Employment and Wages, May 2022, 13-2099 Financial Specialists, All Other." Available at [Financial Specialists, All Other \(bls.gov\)](https://www.bls.gov/oes/2022/may/13-2099-financial-specialists-all-other/) (accessed July 30, 2023).

<sup>10</sup> Bureau of Labor Statistics (2023). "Table 4. Employer Costs for Employee Compensation for private industry workers by occupational and industry group, March 2023." Available at [Table 4. Private industry workers by occupational and industry group - 2023 Q01 Results \(bls.gov\)](https://www.bls.gov/news.release/ocwz.t4.pdf) (accessed July 30, 2023).

## **Part 1: Total Respondents Annual Burden Cost to Complete Forms**

In summary, there are a total of 206,974 United States, Mexico, NNA, and Canada passenger or property motor carrier insurers or surety bond institutions who will complete 206,974 responses of forms MCS-90, MCS-82, MCS-90B MCS-82B for an annual hourly burden cost of \$382,949.

### **Annual Hourly Burden Cost for Form Completion**

+ \$377,065 annual burden cost to complete form MCS-90 (property insurance), IC 1.1  
+ \$4,074 annual burden cost to complete form MCS-82 (property insurance), IC 2.1  
+ \$1,809 annual burden cost to complete form MCS-90B (passenger\_surety), IC. 1.2  
+ \$0 annual hourly burden cost for form MCS-82B (passenger surety), IC.2.2  
\$382,949 total annual hourly burden cost hours to complete forms.

## **Part 2: Form Storage IC 1.3 and 2.3**

FMCSA expects a passenger or property Motor Carrier's Compliance Officer to store the respective forms. The median salary for a Compliance Officer is \$34.47 per hour.<sup>11</sup> To arrive at a loaded wage, FMCSA divides the total cost of compensation for private workers in the transportation and warehousing industry (\$44.05) by the median cost of hourly wages and salaries in the transportation and warehousing industry (\$29.16) as reported by the Bureau of Labor Statistics in its Employer Costs for Employee Compensation for March 2023.<sup>12</sup> This results in a load factor of 1.51. Multiplying the median hourly wage by the load factor results in a loaded hourly wage of \$52.07 ( $\$34.47 \times 1.51 = \$52.07$ ). Table 10 Total Respondent Burden Cost to Store Forms shows that the estimated hourly labor cost to store forms MCS-90, MCS-82, MCS-90B, and MCS-82B is \$282,141 per year.

**Table 10 Total Respondent Burden Cost to Store Forms**

<b>Respondents Country of Origin</b>	<b>Total Number of Respondents (a)</b>	<b>Total Number of Responses (b = a × 1 or 10)</b>	<b>Hourly Burden per Response (c)</b>	<b>Total Hourly Burden (d = b × c)</b>	<b>Total Hourly Burden Cost (e = d × \$52.07)</b>	<b>Applicable Form (a)</b>	<b>ICR Number</b>
United States	194,555	194,555	0.017	3,307	\$172,219	All	1.3
Mexico, NNA and Canada	12,418	124,180	0.017	2111	\$109,923	All	2.3
<b>Total</b>	<b>206,974</b>	<b>318,735</b>		<b>5,419</b>	<b>\$282,142</b>		

<sup>11</sup> Bureau of Labor Statistics (2023). "Occupational Employment and Wages, May 2022, 13-1041 Compliance Officers." Available at <https://www.bls.gov/news.release/comp2.toc.htm> (accessed July 30, 2023).

<sup>12</sup> Bureau of Labor Statistics (2023). "Table 4. Employer Costs for Employee Compensation for private industry workers by occupational and industry group, March 2023." Available at <https://www.bls.gov/news.release/cec.toc.htm> (accessed July 30, 2023).

**Annual Hourly Burden Cost for Form Storage**

+\$172,219 annual burden cost to store all forms, IC 1.3

+\$109,923 annual burden cost for store all forms, IC 2.3

\$282,142 total annual hourly burden cost hours to store forms.

**Part II: Total Respondent Annual Burden Hours Cost to Store Forms**

In summary, there are a total of 206,974 United States, Mexico, NNA, and Canada passenger or property motor carrier compliance officers who will store 318,735 responses of forms MCS-90, MCS-82, MCS-90B and MCS-82B for an annual hourly burden cost of \$282,142.

**Part I Form Completion and Part II Form Storage Summary**

Total Annual Hourly Burden Respondent Cost **\$665,091** (\$382,949 form completion cost + \$282,142 form storage cost = \$665,091 total cost).

**13. ESTIMATE 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 motor carrier business practices.

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

The information collection imposes no cost to the Federal Government.

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

The current iteration of this ICR had 177,994 responses and 4,146 burden hours. This ICR estimates 525,709 annual responses and 12,249 burden hours, an increase of 347,765 responses and 8,103 burden hours. The reason for the increase is due to an increase in the number of entities that registered during 2020-2022 and were required to obtain operating authority registration. The average number of entities which registered from 2017-2019 to 2020-2022 increased 51 percent.

The current iteration of this ICR had a total annual respondent cost of \$226,712. This ICR has a total annual respondent cost of \$665,091. This increase was also a result of the increase in the number of entities that registered during 2020-2022.

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

N/A. This information will not be published.

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

FMCSA does not request such approval.

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

None.

### **ATTACHMENTS:**

- A. 49 U.S.C. § 31139.
- B. 49 U.S.C. § 31138.
- C. 49 CFR Section 387.9 (Motor Carriers of Property) and 49 Part 387.33T (Motor Carriers of Passengers).
- D. 60-day Federal Register notice (88 FR 68273), published on October 3, 2023