

## Information Collection Clearance

### The Supporting Statement

#### **Annual and Quarterly Report of Class I Motor Carriers of Passengers (formerly OMB Control Number 2139-0003)**

**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 (IC) titled, "Annual and Quarterly Report of Class I Motor Carriers of Passengers," covered by OMB Control Number 2126-0031. This IC is due to expire on August 31, 2006.

#### **A. Justification**

##### **1. Circumstances that Make the Collection of Information Necessary**

Section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA), Public Law 104-88, 109 Statute 803 (December 29, 1995) (See Attachment A), now codified at 49 United States Code (U.S.C.) § 14123 (See Attachment B), transferred responsibility for collecting the financial and operating statistics (F&OS) data to the Secretary of Transportation (Secretary). The ICCTA requires the Secretary to collect annual financial reports from Class I and Class II motor carriers of passengers. The ICCTA further allows the Secretary to collect quarterly, periodic or special reports concerning motor carrier operations from motor carriers, freight forwarders, brokers, leasers and associations. The Secretary transferred the authority to administer the F&OS program to the Bureau of Transportation Statistics (BTS) on September 30, 1998 (63 FR 52192 at Attachment C). Pursuant to this authority, the BTS, now part of the Research and Innovative Technology Administration (RITA), became the responsible DOT modal administration for implementing the F&OS program and requirements set forth in 49 CFR 1420 (See Attachment D). The Secretary later transferred this program to the Federal Motor Carrier Safety Administration (FMCSA) on September 29, 2004 (69 FR 51009 at Attachment E).

FMCSA is requesting OMB's approval to renew this information collection so that motor carriers of passengers reporting their 2005 annual and quarterly financial and operating data.

This IC supports the Department of Transportation's strategic goal of safety.

##### **2. How, by Whom, and for What purpose is the Information Used**

The annual and quarterly report (Form MP-1 at Attachment F) will be used to collect financial, operating, equipment and employment data from individual motor carriers of passengers. All for-hire motor carriers of passengers with gross

annual operating revenues of \$5 million or more are to file annual and quarterly reports.

The data will be available to users in various forms, e.g., tables, graphs, photocopies, raw data. The data are used by the USDOT, trucking associations, insurance companies, consultants, law firms, academia, trade publications and other to assess industry growth and its impact on the economy, to identify industry changes that may affect national transportation, and to monitor company financial stability. No other Federal agency collects the information requested by this report. Other Federal agencies and industry groups, including the American Bus Association and the National Bus Traffic Association, Inc. depend on these forms for information regarding the operations of the bus industry. The data also helps public and private entities review the financial status of Class I Motor Carriers of Passengers to evaluate any aggregate relationship between financial conditions and safety performance. The Bureau of Economic Analysis (BEA), U.S. Department of Commerce uses the data to help the national annual input-output and GDP estimates. BEA uses the data to prepare estimates of industry output and provide details on inputs to supplement the information on motor carriers of passengers collected by the Bureau of the Census.

### **3. Extent of Automated Information Collection**

FMCSA offers filers of motor carrier reports a variety of means for submitting reports which include, paper, electronic, and online methods. The electronic submission of responses permits filers to use a software version of the form that can be mailed or submitted electronically. All of the electronic submissions offer error checking and easy-to-use help functions. Thirty (30%) of the information is submitted to the agency electronically.

### **4. Efforts to identify Duplication**

These data are not available from any other source.

### **5. Efforts to Minimize the Burden on Small Business**

Data are collected only from the largest carriers. Before the program was transferred, the ICC raised the classification level for Class I motor carriers of passengers from \$3 million in annual operating revenue to \$5 million. In addition, the classification process adjusts revenues to account for the impact of inflation. Each carrier's annual operating revenues will be deflated using the Producer's Price Index for Finished Goods. The impact of these changes is to reduce the number of carriers subject to the reporting requirements. There are currently 26 passenger carriers reporting out of approximately 4,000 total passenger carriers.

**6. Impact of Less Frequent Collection Information**

Less frequent data collection would erode DOT's ability to monitor the condition of the intercity passenger bus industry and conduct special studies. The timeliness and frequency of data collection are critical in evaluating trends and monitoring individual carrier operations. The filing frequencies were chosen after careful analysis that balanced the degree of carrier burden imposed against DOT's oversight responsibilities for the intercity passenger bus industry.

**7. Special Circumstances**

There are no special circumstances that could require the collection to be conducted inconsistent with the guidelines set by OMB.

**8. Compliance with 5 CFR 1320.8**

On April 10, 2006 (71 FR 18136) and May 9, 2006 (71 FR 27031) (See Attachments G&H), FMCSA published notices in the Federal Register requesting public comments on the proposed renewal of this information collection. FMCSA received two comments to the above notices in support of the continuation of this information collection (See Attachment I & J). FMCSA's replies to the public comments are provided at Attachment K. In addition, FMCSA published a second notice (See Attachment L) with a 30 day comment period that announced this information collection was being submitted to OMB for approval.

**9. Payments or Gifts to Respondents**

There are no payments or gifts to respondents.

**10. Assurance of Confidentiality**

Currently all data are made available at the respondent level. Motor carriers may request to the agency that their reports be kept confidential. The agency decision to grant the exemptions is based on whether the motor carriers meet the criteria established within the regulations and the provisions of the Freedom of Information Act (FOIA), 5 U.S.C. § 552 as amended by Public Law No. 104-231, 110 Stat.3048 (See Attachment M).

**11. Justification for Collection of Sensitive Information**

The forms do not include any questions of a sensitive nature.

**12. Estimate of Burden Hours for Information Requested**

Class I motor carriers of passengers are required to file Form MP-1. Class I carriers are those with more than \$5 million in operating revenue. Revenue is

adjusted to account for inflation. Currently, 26 carriers are submitting this report. The data for completing reports are available from carriers' records. FMCSA estimate that the 26 carriers will take an average of 1.5 hours to complete 5 reports (4 quarterly and 1 annual reports) each year. The table below shows the total burden estimate in hours.

Title	Number of Respondents Per Year	Number of Annual & Quarterly Responses Per Year	Frequency of Responses	Estimated Time per Response	Total Annual Burden Hours
Class I Motor Carriers of Passengers (Annual & Quarterly Report)	26	130	Annual & Quarterly	1.5 hours	195

**Estimated Total Annual Number of Responses:** 130 responses [26 carrier respondents x 5 reports (4 quarterly +1 annual report) completed annually = 130].

**Estimated Total Annual Burden Hours:** 195 hours [130 respondents x 1.5 hours per response = 195 hours].

The estimated total annual cost to respondents is **\$7,069**. The agency having no receipt of supporting data as to the magnitude of the burden on carriers, employs the following estimate of normal costs on motor carriers associated with the filing of the Form MP-1. Based on Bureau of Labor Statistics data, an accountant's labor cost is \$25.00 per hour with a fringe benefit percentage of 45%. If these costs were applied to the hourly effort for motor carriers to complete and file the Form MP-1, the result is **\$7,069** [\$25.00 per hour accountant's wage x 195 hours = \$4,875 + \$2,194 (.45 fringe benefit x \$4,875) = \$7,069] accountant's wage cost to motor carrier industry.

**13. Estimate of Total Annual Cost to Respondents**

There are no estimated total annual burden costs to respondents except to those listed in question 12 above.

**14. The Estimated Total Annual Cost to the Federal Government**

The estimated total annual cost to the Federal Government is \$25,500 for the Form MP-1. This figure includes salary cost based on hours, overhead, printing and payment to contractors.

**15. Explanation of Program Changes or Adjustments**

This revision resulted in program change in the total annual burden hours from 196 hours to 195 hours due to previous calculation error, and the total annual cost to the Federal Government from \$23,500 to \$25,500 due to a slight increase in salary cost.

**16. Publication of Results of Data Collection**

FMCSA is required by Federal law to make the data collection information publicly available. There are no plans at this time for the agency to publish analytical reports.

**17. Approval for not Displaying the Expiration Data of OMB Approval**

The FMCSA is not seeking approval to not display the expiration date of the OMB approval number on the Form MP-1.

**18. Exceptions to Certification Statement**

No exceptions.

**Part B. Collection of Information Employing Statistical Methods**

This information collection does not employ statistical methods.

**Attachments**

- A. Section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA) Public Law 104-88, 109 Statute 803 (Dec. 29, 1995).
- B. 49 U.S.C. § 14123.
- C. DOT Secretary's transfer of the authority to administer the F&OS program to the Bureau of Transportation Statistics (BTS) on September 30, 1998 (63 FR 52192).
- D. 49 CFR 1420
- E. DOT Secretary's transfer of the responsibility for the F&OS program from BTS to FMCSA on September 29, 2004 (69 FR 51009).
- F. Form MP-1.

- G. Federal Register notices requesting 60-day public comment period (71 FR 18136).
- H. Federal Register notice (71 FR 27031) requesting 60-day public comment period with corrected Docket Number.
- I. 60-day Federal Register notice comment 1.
- J. 60-day Federal Register notice comment 2.
- K. FMCSA replies to public comments.
- L. Federal Register notice requesting 30-day public comment period.
- M. Freedom of Information Act (FOIA), 5 U.S.C. § 552 as amended by Public Law No. 104-231, 110 Stat.3048.