

approximately 19,140 existing files (22,000 – 2,860) every year after the first year this rule is in effect and creating 2,860 new files per year.

The creation of a single, complete driver qualification file involves an annual expenditure of approximately 25 minutes, which is the sum of 21 minutes of paperwork by a safety director, driver supervisor, or equivalent position, and 4 minutes of paperwork by a driver. For the first year, the cost would be \$188,557 (0.35 hours per driver employed  $\times$  22,000 drivers  $\times$  \$22 an hour per supervisor) plus (0.07 hours per driver employed  $\times$  22,000 drivers  $\times$  \$12.44 an hour per driver), or \$169,400 for the time supervisors spend on this task and \$19,157 for drivers. For subsequent years the cost for creating new driver qualification files would be \$24,512 (0.35 hours per driver employed  $\times$  2,860 drivers  $\times$  \$22 an hour per supervisor) plus (0.07 hours per driver employed  $\times$  2,860 driver  $\times$  \$12.44 an hour per driver), or \$22,022 for the time supervisors spend on this task and \$2,490 for drivers.

Each driver is required by § 391.27 to furnish their employing motor carrier with a list of traffic violations. FMCSA estimates that it takes a driver approximately 2 minutes to complete the list. Motor carriers are required to conduct an annual review of their drivers' records. The agency estimates that it takes approximately 5 minutes per driver to complete this task. The cost of complying with the list of traffic violations is \$7,143 [19,140 drivers  $\times$  (0.03 hours per driver)  $\times$  (\$12.44 an hour for a driver)]. The cost of complying with the annual review is \$33,686 [(19,140 drivers)  $\times$  (0.08 hours per driver)  $\times$  (\$22 an hour for a supervisor)]. The total cost per year for the annual list of violations and the review of the driving record is \$40,829.

Therefore, the estimated cost for driver qualification files is \$188,557 for the first year carriers are required to comply with the safety-related operational provisions of the FMCSRs, and \$65,341 for each subsequent year (\$24,512 for creating new qualification files, \$7,143 for the list of traffic violations, and \$33,686 for the driving record review).

#### Records of Duty Status

As indicated above, FMCSA believes the final rule will apply to 22,000 drivers. It is estimated that each driver would spend approximately 6.5 minutes per workday to complete a record of duty status and work 240 workdays a year. The information collection burden for completing the record of duty status would be approximately 571,999 hours [22,000 drivers  $\times$  (6.5 minutes per day  $\times$  1 hour per 60 minutes)  $\times$  (240 workdays)]. The estimated total cost burden related to completing the record of duty status is approximately \$7,115,667 based on an estimated time burden of 571,999 hours at \$12.44 an hour for drivers. This time and cost burden estimate takes into consideration two weeks of sick/vacation leave for these drivers.

FMCSA estimates that each motor carrier, affected by this rule, will need a supervisor responsible for reviewing its drivers' records of duty status and that the supervisor will spend approximately three minutes per day reviewing each driver's records to ensure compliance with the hours-of-service rules. The information collection burden for reviewing the record of duty status would be approximately 264,000 hours [22,000 drivers  $\times$  (3 minutes per day per driver's log  $\times$  1 hour per 60 minutes)  $\times$  (240 workdays)]. Using the earnings estimate presented above (*i.e.*, \$22 per hour for supervisors), the annual cost would be \$5,808,000.

Therefore, the total costs for requiring motor carriers to comply with part 395 would be \$12,923,667.

#### Vehicle Inspection, Repair, and Maintenance

FMCSA estimates the various recordkeeping requirements in part 396 related to vehicle inspection, repair, and maintenance would involve an estimated total annual expenditure of 12 hours and 57 minutes per CMV (48 minutes for systematic inspection, repair, and maintenance; 724 minutes for driver vehicle inspection reports; and 5 minutes for periodic inspection). Evidence of an individual's qualifications to perform periodic vehicle inspections must be retained by the motor carrier. Evidence of an individual's qualifications to be a brake inspector must also be retained. The creation of these two types of

qualification evidence involves an estimated one-time, non-recurring expenditure of 5 minutes by a safety director, driver supervisor, or equivalent position for each type of qualification.

The systematic inspection, repair, and maintenance records would be completed by a mechanic. The periodic inspection records would also be prepared by a mechanic. The estimated hourly earnings for a mechanic is \$21.25 as indicated above. If the mechanic must spend approximately 53 minutes per year per vehicle, the cost per year per vehicle for recordkeeping would be approximately \$18.77. If there are 18,430 vehicles that would be covered by the proposed rule, the total cost for systematic inspection, repair, and maintenance, and periodic inspection records would be \$345,931.

Drivers must prepare vehicle inspection reports at the end of each workday. It is estimated that each driver would spend 724 minutes per year, or 12.06 hours per year completing the paperwork. Using the earnings estimate of \$12.44 an hour, the cost for having drivers prepare vehicle inspection reports would be \$150 per driver per year. Based on an estimate of 22,000 drivers, the cost per year for the industry would be \$3,300,000.

Finally, looking at the cost for inspector qualifications, FMCSA believes the paperwork would be completed by a supervisor. Using the earnings estimate of \$22 an hour, and an information collection burden of 10 minutes (five minutes for each certification of qualifications), the cost per carrier would be \$3.66. The total non-recurring cost would be approximately \$6,745.

Therefore, the estimated total cost burden related to the vehicle inspection, repair, and maintenance recordkeeping is approximately \$3,652,676 per year.

#### Total Costs and Qualitative Estimate of Benefits

##### Costs

The sum of all estimated costs of requiring operators of small passenger-carrying CMVs to comply with parts 391, 395, and 396 is \$23,850,000 for the first year and \$20,184,234 each year thereafter. A summary of the first-year costs is presented below: