



DEPARTMENT OF TRANSPORTATION

[4910-EX-P]

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0242]

Agency Information Collection Activities; Revision and Extension of a Currently-Approved Information Collection Request: Hazardous Materials Safety Permits

AGENCY: FMCSA, DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The FMCSA requests approval to revise and extend an existing ICR titled, “Hazardous Materials Safety Permits.” This ICR requires companies holding permits to develop and implement communications plans that allow for the periodic tracking of the shipments. A record of the communications that includes the name of the driver, identification of the vehicle, permitted material(s) being transported, and the date, time and location of each contact may be kept by either the driver (e.g., recorded in the log book) or the company. These records must be kept, either physically or electronically, for at least six months at the company’s principal place of business or readily available to the employees at the company’s principal place of business. This ICR is being revised only to the extent that the number of motor carriers with an active Hazardous Materials (HM) Safety Permit has decreased from 1,304 to 987.

DATES: We must receive your comments on or before **[Insert date 60 days after the date of publication of this notice in the Federal Register]**.

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA-2019-0242 using any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 1-202-493-2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, 20590-0001.
- Hand Delivery or Courier: West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket

Management System published in the Federal Register on January 17, 2008

(73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdfE8-794.pdf>.

Public Participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Ms. Suzanne Rach, Office of Enforcement and Compliance, Hazardous Materials Division, Department of Transportation, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-385-2307; e-mail suzanne.rach@dot.gov.

SUPPLEMENTARY INFORMATION:

Background: The Secretary of Transportation (Secretary) is responsible for implementing regulations to issue safety permits for transporting certain HM in accordance with 49 U.S.C. 5101 et seq. Currently, the HM Safety Permit regulations (49 CFR part 385, subpart E) require companies applying for a HM Safety Permit that do not have a USDOT number to file online at the FMCSA website via the Unified Registration System (URS) before conducting operations in commerce that require a safety permit. Safety permit applications for companies that have a USDOT number and applications to update or renew a safety permit must be filed with FMCSA using the form MCS-150B (Combined Motor Carrier Identification Report and HMSP Application). The URS and

MCS-150B are covered under the FMCSA's OMB Control Number 2126-0013, "Motor Carrier Identification Report," information collection request. The FMCSA requires companies holding permits to develop a communications plan that allows for the periodic tracking of the shipment. This information collection request covers the record of communications that includes the name of the driver, identification of the vehicle, permitted material(s) being transported, and the date, location and time of each contact. The records may be kept by either the driver (e.g., recorded in the log book) or the company. These records must be kept, either physically or electronically, for at least six months at the company's principal place of business or be readily available to employees at the company's principal place of business.

Title: Hazardous Materials Safety Permits.

OMB Control Number: 2126-0030.

Type of Request: Revision and extension of a currently-approved information collection.

Respondents: Motor carriers subject to the Hazardous Materials Safety Permit requirements in 49 CFR part 385, subpart E.

Estimated Number of Respondents: 987.

Estimated Time per Response: 5 minutes. The communication between motor carriers and their drivers must take place at least two times per day, and at the pickup and delivery of each permitted load. It is estimated that it will take 5 minutes to maintain a daily communication record for each driver.

Expiration Date: August 31, 2020.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 692,000 hours [8.3 million trips × 5 minutes per record ÷ 60 minutes per hour = 691,667 rounded to 692,000]

PUBLIC COMMENTS INVITED: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority of 49 CFR 1.87 on: October 31, 2019

Kelly Regal,
Associate Administrator for Office of
Research and Information Technology.

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