

**Supporting Statement
For
OMB Control Number 2127-XXXX
Amendment to FMVSS Nos. 110 and 120 adding motor home and RV trailer load
carrying capacity consumer information and requirements.**

**1. Explain the circumstances that make the collection of information necessary.
Attach a copy of the appropriate statute or regulation mandating or authorizing the
collection of information.**

The National Highway Traffic Safety Administration (NHTSA), under the U.S. Department of Transportation, was established by the Highway Safety Act of 1970 to carry out safety programs under the National Traffic and Motor Vehicle Safety Act of 1966. The Safety Act has subsequently been recodified under Title 49 of the United States Code in Chapter 301, Motor Vehicle Safety. Under Purpose and policy (49 U.S.C. Section 30101) it is stated that the purpose of this chapter [49 USCS §§ 30101] is to reduce traffic accidents and deaths and injuries resulting from traffic accidents. Therefore, it is necessary (1) to prescribe motor vehicle safety standards for motor vehicles and motor vehicle equipment in interstate commerce. Under Providing information to, and maintaining records on, purchasers (49 U.S.C. Section 30117) (a) The Secretary of Transportation may require that each manufacturer of a motor vehicle or motor vehicle equipment provide technical information related to performance and safety required to carry out this chapter [49 USCS §§ 30101 et seq.]. The Secretary may require the manufacturer to give the following notice of that information when the Secretary decides it is necessary: (1) to each prospective purchaser of a vehicle or equipment before the first sale other than for resale at each location at which the vehicle or equipment is offered for sale by a person having a legal relationship with the manufacturer, in a way the Secretary decides is appropriate. (2) to the first purchaser of a vehicle or equipment other than for resale when the vehicle or equipment is bought, the printed matter placed in the vehicle or attached to or accompanying the equipment.

NHTSA is amending FMVSS Nos. 110 and 120 to require recreational vehicle (RV) manufacturers to affix a label to each motor home and RV trailer. The label for motor homes will include the vehicle identification number and the statement “The combined weights of occupants and cargo should never exceed XXX kg (XXX lb).”

Manufacturers will enter the value of load capacity on the label in place of the XXX as it will vary between different make/model motor homes. The motor home label also will include the total number of safety belt equipped seating positions, the weight of a full load of water and an advisory statement that informs consumers that the weight of on-board water and the tongue weight of a towed trailer counts as cargo.

The label for RV trailers will include the vehicle identification number and a statement indicating that “The weight of cargo should never exceed XXX kg or XXX lbs.” Manufacturers will enter the value for cargo carrying capacity on the label in place of XXX as it will vary between different make/model RV Trailers. The RV trailer label will also include the weight of a full load of water and an advisory statement that informs consumers the weight of on-board water counts as cargo.

Requiring manufacturers to disclose load carrying capacity information of motor homes and RV trailers and requiring them to display the information in a prominent location will allow consumers to make more informed decisions when shopping for and loading RVs, provide an incentive for RV manufacturers to include greater amounts of load carrying capacity in their vehicle designs and reduce the instances of motor home and RV trailer overloading which will, in turn, reduce injuries and fatalities resulting from overload related crashes.

This action addresses the Department of Transportation’s Strategic Objective #6, "Safety Strategic Objective," specifically strategy 6.2, "Strategies" by making motor homes and travel trailers safer. The rule is written in plain English and uses self-certification.

**2. Indicate how, by whom, and for what purpose the information is to be used.
Indicate actual use of the information received from the current collection.**

The information will be in the form of a label in a conspicuous location on all motor homes and RV trailers subject to FMVSS Nos. 110 and 120. The information on the label will be directly used by consumers while shopping for and loading motor homes and RV trailers.

The label for motor homes will include the vehicle identification number and the statement “The combined weights of occupants and cargo should never exceed XXX kg

or XXX lbs” with the appropriate values in place of XXX. Manufacturers will enter the value on the label as it will vary between different make/model motor homes. The motor home label also includes the total number of safety belt equipped seating positions, the weight of a full load of water and an advisory statement that informs consumers that the weight of on-board water and the tongue weight of a towed trailer counts as cargo.

The label for RV trailers will include the vehicle identification number and a statement that “The weight of cargo should never exceed XXX kg or XXX lbs” with the appropriate value in place of XXX. Manufacturers will enter the value on the label as it will vary between different make/model RV Trailers. The RV trailer label will also include the weight of a full load of water and an advisory statement that informs consumers the weight of on-board water counts as cargo.

When shopping for a motor home or RV trailer, the consumer will be informed of the vehicle’s load carrying capacity as they will see the label which will be located in a prominent location. They then can select a vehicle, which possesses adequate load carrying capacity for their needs. Consumers can also use the label as a reference when loading their RVs. If there is less on-board fresh water and/or passengers (motor homes only) then more cargo can be carried. The disclosure of the load carrying capacity will provide manufacturers with incentive to include more load carrying capacity in their vehicle designs.

Currently labels are provided on some RVs on a voluntary basis. The label currently provided is required on vehicles sold by manufacturers that are members of the Recreational Vehicle Industry Association (RVIA). These amendments to FMVSS Nos. 110 and 120 will require a standardized, concise label in a prominent location on all motor homes and RV trailers.

3. Describe whether the collection of information involves the use of technological collection techniques or other forms of information technology.

This question is not applicable to this submission. The regulation simply requires an information label on motor homes and RV trailers. No reports to NHTSA are required.

4. Describe efforts to identify duplication. Show specifically why similar information cannot be used.

NHTSA has identified those RV manufacturers that are members of the Recreational Vehicle Industry Association (RVIA) and already place a similar label on their RVs. It is estimated that 95 % of the industry belongs to RVIA. Therefore, the burden of this rulemaking will consist of making the remaining 5 % of the industry that are not RVIA members compliant. The RVIA members that are currently placing the RVIA label on their RVs will instead use the label required by FMVSS Nos. 110 and 120 when the amendments become effective. Because the NHTSA labels are similar the existing RVIA labels, the costs should essentially be the same or less. Therefore, there will be no duplication, all motor homes and RV trailers subject to FMVSS Nos. 110 and 120 will be using the label required by the regulation and the additional burden resulting from the rulemaking will equate to the hours and costs of installing labels on 5 % of motor homes and RV trailers. The amendment will require standardized labels on all motor homes and RV trailers subject to the requirements of FMVSS Nos. 110 and 120. The NHTSA required labels will provide more concise information than that provided by voluntary labels and will be easier to understand. The NHTSA labels will also be located in a more visible/prominent location than voluntary labels have been located.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize the burden.

NHTSA has made the required label similar to the proposed label sanctioned by the RVIA. It is estimated that 95 % of motor home and RV trailer manufacturers already use the RVIA label. Therefore the only additional burden results from requiring the remaining 5 % to comply. Making the NHTSA label similar to the proposed RVIA label which has the potential for being smaller than the current RVIA label has minimized the cost.

It is anticipated that there are few, if any, small business RV manufacturers in operation at the present time. Any small business RV manufacturers that are presently in business would incur minimal burden for the reasons stated above.

6. Describe the consequences to the Federal program or policy activities if the collection is not collected or collected less frequently.

The required information for the labels can be unique to each make/model or individual motor home and RV trailer depending on options supplied by the manufacturer. Once the information (which is already known) is formatted, it is simply repeated for each RV configuration. The result of an absence of this required information will be a lack of decrease in motor home and travel trailer overloading which causes tire blow-outs, loss of vehicle control and crashes involving economic loss, injuries and fatalities.

7. Explain any special circumstances that require the information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

The procedure specified for this information collection is consistent with the guidelines set forth in 5 CFR 1320.6.

8. Provide a copy of the Federal Register document soliciting comments on the collection of information, a summary of all public comments responding to the notice, and a description of the agency's action in response to the comments. Describe efforts to consult with persons outside the agency to obtain their views.

The 60-day notice was published as part of the NPRM in the Federal Register on August 31, 2005. The Federal Register reference for the NPRM is 70 FR 51707. The Paperwork Reduction portion of the notice appears on page 51714.

The agency received one comment from Toyota that was related to information collection. Toyota commented that the proposal for adding the load carrying capacity modification label to correct load carrying capacity information when weight is added is burdensome to passenger vehicle manufacturers, distributors and dealers due to the large number of potential labels. The number of combinations of vehicle model weights, optional equipment and accessories greater than the threshold is large. The number of labels required to accommodate all of the various combinations of weights will be in the thousands.

In the final rule, NHTSA permits the use of generic labels where values can be legibly entered using a black, fine point, indelible marker. This permits dealers to stock one generic load carrying capacity modification label for all weight situations. Also, in the final rule, the addition of the load carrying capacity modification label is one of three options that can be used to correct load carrying capacity information. Dealers/service facilities are permitted to (1) replace existing tire placards, motor home Occupant and Cargo Carrying Capacity (OCCC) labels or RV trailer Cargo Carrying Capacity (CCC) labels with new placard/labels containing correct load carrying capacity information, (2) modify existing tire placards, motor home OCCC labels or RV trailer CCC labels so they display correct load carrying capacity information or (3) add a load carrying capacity modification label within 25 mm of existing tire placards and/or the motor home OCCC label or RV trailer CCC label. In addition, this final rule raises the threshold for correcting load carrying capacity information to the lesser of 1.5 % of GVWR or 100 pounds which will greatly decrease the instances of information correction. It was not necessary for NHTSA to directly consult with Toyota relative to this issue.

A 60-day notice soliciting comments to the information collection was published as part of the NPRM on August 31, 2005 (70 FR 51707). The one comment received from Toyota relative to information collection is addressed in the final rule and is described in this document. As the information collection 60-day notice was a year old and as the information collection had been updated, a second 60-day notice was published on December 7, 2006 (71 FR 71024). The comment period for the second 60-day notice ended on February 5, 2007. No comments were received relative to this notice. All relative documents and Federal Register notices are attached to this submission.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gift was provided, will be provided or was promised to any respondent.

10. Describe any assurance of confidentiality provided to respondents.

No assurances of confidentiality are given by the agency. There is no requirement that information be sent to the agency. All required information is intended for public dissemination and will be provided directly to the public from manufacturers..

11. Provide additional justification for any questions on matters that are commonly considered private.

There are no private questions or matters involved in this information collection activity. The required information is exclusively business oriented, with no personal data submitted or requested.

12. Provide estimate of the hour burden of the collection of information on the respondents.

Under the Paperwork Reduction Act of 1995, a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid Office of Management and Budget (OMB) control number. This proposal introduces new information collection requirements in that the new regulation would require certain disclosures to third parties. Information collection under this final rule consists of a load carrying capacity (LCC) label applied to all motor homes and recreation vehicle (RV) trailers. The information collection also involves a load carrying capacity modification label which corrects original load carrying capacity information on all RVs and light vehicles when significant additional weight is added between final vehicle certification and first retail sale. If the total weight added by dealers/service facilities between final vehicle certification and first retail sale exceeds the lesser of 1.5 % of GVWR or 100 pounds, the original load carrying capacity information must be corrected. Corrections can be made via the load carrying capacity modification label described in this final rule or by correcting original labels by modification or replacement. Our estimates of the

burden that this rulemaking imparts on all motor home and RV trailer manufacturers and manufacturers of light vehicles other than RVs are given below and in question 13.

There is no burden to the general public.

RV estimates are based on the fact that approximately 95 % of all RV manufacturers currently belong to RVIA and already voluntarily apply load carrying capacity labels to the vehicles they produce. When this rulemaking becomes a final rule, these 95 % of RVs will replace the current voluntary label with the NHTSA label at no additional cost. Therefore, any additional cost for information collection imparted by this final rule is a result of the remaining 5 % of RV manufacturers to apply load carrying capacity labels and the cost to RV dealers/service facilities that choose to apply the load carrying capacity modification label when corrections are necessary. The cost to manufacturers of light vehicles other than RVs is minimal as light vehicles are already required to have LCC information on the tire placard and most light vehicles will not exceed the added-weight threshold and dealers/service facilities will not be required update load carrying capacity information. The additional cost for information collection to light vehicle manufacturers other than RV manufacturers result from those who choose to correct load carrying capacity information by applying the load carrying capacity modification label. The label is not mandatory; it is simply an alternative to correcting load carrying capacity information by replacing or updating the original tire placard/label when the threshold for weight added by dealers is exceeded.

The following is the hour burden estimates resulting from the load carrying capacity information requirements in this final rule. Numbers are based on 2005 estimates.

RV manufacturers and manufacturers of light vehicles other than RVs already have the following knowledge, information and resources and therefore these items will not impose any additional cost and/or hour burden.

- Vehicle gross vehicle weight rating (GVWR)
- Means to print or procure labels
- Scale system for weighing vehicles

Estimated annual hour burden to the 5 % of RV manufacturers that are not RVIA members to weigh an RV in order to determine unloaded vehicle weight (UVW)

Estimated labor hours to weigh an RV = .16 hours/RV

Approximately 419,500 RVs shipped in 2005

It is estimated that 5 % or 20,975 RVs/year currently do not voluntarily display LCC information as their manufacturers are not members of RVIA.

20,975 RVs/year X .16 hours/RV = **3,356 hours/year**

Estimated annual hour burden to the 5% of RV manufacturers that are not RVIA members to install motor home OCCC labels and RV trailer CCC labels

Estimated labor hours to install labels = .02 hours/RV

Approximately 419,500 RVs shipped in 2005

It is estimated that 5 % or 20,975 RVs/year currently do not voluntarily display LCC information as their manufacturers are not members of RVIA.

20,975 RVs/year X .02 hours/RV = **420 hours/year**

Estimated annual hour burden to RV manufacturers to install the load carrying capacity modification labels when necessary

Estimated labor hours to install labels = .02 hours/RV

Approximately 419,500 RVs shipped in 2005

An estimated 25 % or 104,875 RVs/year will receive the LCC modification label.

104,875 RVs/year X .02 hours/RV = **2,098 hours/year**

Estimated annual hour burden to light vehicle manufacturers to insert values and install the load carrying capacity modification labels when necessary/desired

Estimated labor hours to install labels = .02 hours/light vehicle

Approximately 17, 000,000 light vehicles shipped in 2005

An estimated 1 % or 170,000 light vehicles/year will receive the LCC modification label.

170,000 light vehicles/year X .02 hours/light vehicle = **3,400 hours/year**

Total estimated hour burden

9274 hours/year

Cost equivalent for estimated hour burden

An internet search of jobs in the RV industry was completed to determine the hourly rate for weighing vehicles and installing labels. Most RV technicians make from \$15.00 to \$25.00 per hour with RV maintenance technicians making as much as \$30.00 per hour. RV cleaners and detailer usually make less than \$10.00 per hour and RV manufacturer workers, which involve repetitive type work, make around \$10.00 per hour. As weighing RVs and installing labels involves relatively simple repetitive tasks, the rate of \$10.00 per hours was selected. Therefore the cost equivalent of the estimated hour burden is as follows:

9274 hours/year X \$10.00/hour = **\$92, 740/year**

13. Provide estimates of the total annual cost to the respondents or record keepers.

The following is the cost burden estimates resulting from the load carrying capacity information requirements in this final rule.

Estimated annual cost to the 5% of RV manufacturers that are not RVIA members to procure or produce motor home OCCC labels and RV trailer CCC labels

Estimated cost to produce labels = \$0.15/ RV.

Approximately 419,500 RVs shipped in 2005

It is estimated that 5 % or 20,975 RVs/year currently do not voluntarily display LCC information as their manufacturers are not members of RVIA.

20,975 RVs/year X \$ 0.15 /RV = **\$3,146/year**

Estimated annual cost to RV manufacturers to procure or produce the load carrying capacity modification labels when necessary

Estimated cost to procure or produce labels = \$0.05/RV

Approximately 419,500 RVs shipped in 2005

An estimated 25 % or 104,875 RVs/year will receive the LCC modification label.

104,875 RVs/year X \$0.05/RV = **\$5,245/year**

Estimated annual cost to light vehicle manufacturers to procure or produce the load carrying capacity modification labels when necessary

Estimated cost to procure or produce labels = \$0.05/light vehicle

Approximately 17,000,000 light vehicles shipped in 2005

An estimated 1 % or 170,000 light vehicles/year will receive the LCC modification label.

170,000 light vehicles/year X \$0.05/light vehicle = **\$8,500/year**

Total estimated cost

\$16,891/year

14. Provide estimates of annualized cost to the Federal Government.

There is no cost incurred by the Federal Government as a result of this regulation.

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-I.

This is part of new amendments to existing regulations; however, the amendments create a new collection program and does not make a change or adjustment to an existing program.

16. For collection of information whose results will be published, outline plans for tabulation, and publication.

This collection of information will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Approval is not sought to not display the expiration date for OMB approval.

18. Explain each exception of the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

No exceptions to the certification statement are made.

ATTACHMENTS

- 1 Title 49 United States Code, Chapter 301, Motor Vehicle Safety
- 2 Notice of Proposed Rulemaking (includes 60-day notice)
- 3 Notice extending comment period of notice of proposed rulemaking
- 4 Second 60-day notice
- 5 FMVSS No. 110
- 6 FMVSS No. 120
- 7 Draft copy of the final rule