

SUPPORTING STATEMENT

FOR

BRAKE HOSE MANUFACTURERS IDENTIFICATION 49 CFR Part 571.106, *BRAKE HOSES*

1. Explain the circumstances that make the collection of information necessary. Attach a copy of the appropriate statute of 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, as the successor to the National Highway Safety Bureau, to carry out safety programs under the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. The Vehicle Safety Act has subsequently been recodified under Title 49 of the U. S. Code in Chapter 301, Motor Vehicle Safety. The agency's authority to prescribe motor vehicle safety standards is included in Section 30111.

Under the authority of the National Traffic and Motor Vehicle Safety Act of 1966, as amended, NHTSA is authorized to issuance Federal Motor Vehicle Safety Standards (FMVSSs). The Act mandates that prior to issuing a FMVSS that the agency consider whether the standard is reasonable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed.

Using this authority, FMVSS No. 106, Brake Hoses was issued. This standard specifies labeling and performance requirements for motor vehicle brake hose, brake hose assemblers, and end fitting manufacturers. These entities must register their identification mark with the National Highway Traffic Safety Administration (NHTSA) to comply with this standard.

In addition, this collection supports the Department of Transportation's strategic goal in customer service.

The Secretary is authorized to issue, amend, and revoke such rules and regulations as she/he deems necessary. The Secretary is also authorized under Section 30117 to require manufacturers to provide information to first purchasers of motor vehicle equipment when the vehicle or equipment is purchased, in printed matter placed in the vehicle or attached to or accompanying the equipment.

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

FMVSS No. 106 requires all brake hose manufacturers, end fitting manufacturers, and

assemblers of brake hoses to label brake hose products and furnish NHTSA with their unique identification mark. This identification mark can consist of a manufacturer's name, trademark, letter designation, or other symbol chosen by the manufacturer. Where a conflict exists with the same mark, the earliest registrant is allowed to use the mark, and the later registrant must submit a new identification mark.

The purpose of this standard is to reduce deaths and injuries occurring as a result of brake system failure from pressure or vacuum loss due to hose assembly rupture. This standard applies to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles. The manufacturers or assemblers may furnish the information, by mail, email, or facsimile, as required in paragraph S5.2 for hydraulic hoses; paragraph S7.2 for air brake hoses; paragraph S9.1 for vacuum brake hoses; and paragraph S11.2 for plastic air brake tubing. An identification mark must be filed with NHTSA before the brake components can be placed on the market for sale. The DOT symbol constitutes a certification by the hose manufacturers that the hose conforms to all applicable motor vehicle safety standards.

NHTSA maintains a record file of these registration marks for use in determining the manufacturer's or assembler's identify. The identification may be needed to determine the source of a hose, when being used in a vehicle or laboratory test for compliance, or when a question exists relating to its safety performance. Occasionally, requests are received from citizens or interested organizations to identify a hose or assembly for various reasons.

If this information were not collected, the agency or the public would not have any way of knowing the manufacturer's identity, in the event of a brake hose failure that resulted in (1) the separation of a hose from its end fitting or, (2) leakage of the brake hose.

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

For efficiency and cost maintenance, all brake hose manufacturers use state-of-the-art technologies to label their products. FMVSS No. 106 requires all brake hose manufacturers, end fitting manufacturers, and assemblers of brake hoses to label their product with their unique identification mark (there is an exception for brake hose assemblies installed on new motor vehicles). This identification mark consisting of a manufacturer's name, trademark, letter designation, or other symbol chosen by the manufacturer is marked directly on the finished product. There is 100 percent automation for the labels, and the process involves automation process by electronics. The collection and storage of the labeling information by the manufacturers are accomplished through computers and other electronic devices. Currently, approximately 50 percent of the requests are received via U.S. mail and 50 percent of the requests are received by fax or email, of which these documents contain 100% of the requested information.

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

The information collected under this regulation is unique and is not available through other sources. There is no other agency with legal authority to regulate brake hose requirements.

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

The registration involves a one-time submission, usually in the form of a business letter. The composing, typing, reviewing, and mailing of the letter involves no more than a simple business letter. An estimate of the time required is one and a half hours. A single registration is required, except when a manufacturer or assembler changes its mark, opens another hose or assembly business, or changes location. The information required consists of the name and address of the company, plus a description, photograph or photocopy of the mark, and the symbol or number(s) that uniquely identify the hose or assembly. The level of required effort is the same, regardless of the company's size. The letter can be submitted to NHTSA by ground mail, email, or fax.

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

This information is only registered once, unless the manufacturer or assembler changes its mark, opens another hose manufacturing or assembly business, or changes location.

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 procedures specified for this information collection are consistent with the guidelines set forth in 5 CFR 1320.6.

8. Provide a copy of the FEDERAL REGISTER document soliciting comments on extending 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 FEDERAL REGISTER (72 FR 7113, February 14, 2007) notice soliciting comments on extending the collection of information is attached. No comments were received in response to this notice.

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

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

10. Describe any assurance of confidentiality provided to respondents.

No assurances of confidentiality are given by the agency. The only required information is the name and location of the company, and the specific identification mark that is used.

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

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

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

Currently, this requirement in FMVSS No. 106 affects approximately 20 respondents annually. Prior to selling brake hoses, each respondent (e.g., brake hose manufacturer or assembler) must register with NHTSA. Upon registering with NHTSA, each respondent or brake hose manufacturer uses their unique marking symbol. This information is required only once, unless the brake hose manufacturer or assembler changes its mark, opens another hose manufacturing or assembly business, or changes location. The respondent incorporates this marking into their other brake hose markings (e.g., sizing and trademark). Most manufacturers feel this burden is well justified, because it helps keep sub-par manufacturers from flooding the market with low quality products. Based on discussions with brake hose manufacturers, it is estimated that it takes each respondent one and a half hours to compose the notice of registration that is furnished to NHTSA.

The estimated burden is as follows:

Total respondents annually	20
Response burden (1.5 hours per registration)	1.5 hours/registration
Total estimated burden	30 hours

Assuming an average cost of \$100.00 per hour to generate and process this paperwork, then the annual cost is estimated at \$3,000 (or \$100.00/hour times 30 hours).

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

Annual costs to the respondents can be estimated as follows: There are 1,667

manufacturers of hoses and assemblies registered with NHTSA; however, only approximately 20 respondents annually request to have their symbol added to or removed from the NHTSA database.

To comply with this standard, each brake hose manufacturer or assembler must contact NHTSA and state that they want to be added to or removed from the NHTSA database of registered brake hose manufacturers. This action can be initiated by the manufacturer with a brief one-page written request via the U.S. mail or fax machine, a telephone call, or an e-mail message. Currently, approximately 50 percent of the requests are received via U.S. mail and 50 percent of the requests are received by fax or email.

The estimated that cost for each respondent spent complying with this regulation is estimated to be \$100.00 per hour (which includes the cost of their time plus the associated legal fees and administrative overhead).

Therefore, this estimated annual cost can be calculated is as follows:

Total estimated burden	30 hours
Average Cost of each burden hour to respondent (including administrative and legal)	\$100
Total estimated annual cost	\$3,000

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.

After an internal review based on findings from the previous submission there is a reported decrease from 100% to 50% in the actual percentage of documents receive from NHTSA via electronic means.

16. For collections 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 83-1.

No exceptions to the certification statement are made.