

**SUPPORTING STATEMENT
FOR
GRANT PROGRAMS UNDER
SECTIONS 1906, 2006, AND 2011 OF SAFETEA-LU**

A. JUSTIFICATION

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 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, authorizes several grant programs covering fiscal years (FY) 2006-2009, to be administered by the National Highway Traffic Safety Administration (NHTSA) (Attachment 1). This information collection supports the Department's Strategic goal of safety by reducing the number of deaths and severity of injuries as a result of motor vehicle accidents.

Section 1906 authorizes a grant program for States that enact and enforce a law that prohibits the use of racial profiling in the enforcement of traffic laws on Federal-aid highways. Section 2006 authorizes a grant program to support the development and implementation of State traffic safety information systems. Section 2011 authorizes a grant program for child safety seats and child booster seats.

The information collected for these grant programs is to include various reporting information. A State that receives grant funds must indicate to NHTSA how it intends to obligate and expend grant funds for each fiscal year, and how grant funds were expended and spent each fiscal year. To reduce burdens, a State will document these activities largely by making use of mechanisms that have received Paperwork Reduction Act (PRA) clearance for other similar highway safety programs. In addition, for the Section 2011 program, the reports are required by provisions of SAFETEA-LU. A State will first notify NHTSA of its obligation of funds in accordance with the applicable provisions of SAFETEA-LU by submitting a Program Cost Summary (HS-217), a form with existing PRA clearance, within 30 days of the award notification. A State will also report to NHTSA, as part of its annual Highway Safety Plan under 23 U.S.C. § 402, on how it intends to obligate and expend grant funds for each fiscal year. Finally, a State that receives grants funds must submit each fiscal year, as part of the Annual Report for its highway safety program pursuant to 23 C.F.R. § 1200.33, a report indicating how grant funds were expended and identifying the programs carried out with the grant funds.

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.

The certifications and reports for each program will be submitted in hard copy to NHTSA Regional Administrators. The Program Cost Summary will be submitted electronically.

The report information will allow the agency to track grant funds and ensure that the funds are being used for the purposes specified by statute and NHTSA guidance.

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

This is a new collection, therefore currently no information has been collected. As indicated above, the Highway Safety Program Cost Summary would be submitted electronically through a PRA-approved form (OMB 2127-0003). The agency is working towards collection of all information electronically.

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

To reduce duplication, the reporting information collected under each of these grant programs will be submitted as part of the State's Highway Safety Plan and Annual Report, reports which the States are already required to submit by statute or regulation.

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

This item does not apply. States are the only eligible recipients for these grant programs.

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

If the information were collected less frequently than annually, it would not be possible to track grant funds in each fiscal year.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines set forth 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 actions in response to the comments. Describe efforts to consult with persons outside the agency to obtain their views.

The agency published a 60-day Notice Requesting Public Comment on Proposed Collections of Information on February 27, 2006 (71 FR 9859), soliciting public comments on the collection of information (Attachment 2). The agency received one set of comments from the American Bar Association (ABA). These comments were not responsive to any PRA issues, but rather addressed substantive issues related to the Section 1906 Racial Profiling grant program.

The agency published a 30-day Notice Requesting Public Comment on the Information

Collection Request (ICR) to be submitted to OMB on May 12, 2006. (71 FR 27787).

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

No payment or gift will be provided to any respondent.

10. Describe any assurance of confidentiality provided to respondents.

No assurances of confidentiality are given by the agency for this regulation.

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

The information provided is not of a private nature; therefore, no justification is necessary.

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

(1) *Estimated number of respondents*.....

- 52 (fifty States, the District of Columbia, and Puerto Rico) for **Child Safety and Child Booster Seat Incentive Grants**;

- 56 (fifty States, District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) for **Grant Program to Prohibit Racial Profiling**; and

- 57 (fifty States, District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Bureau of Indian Affairs) for the **State Traffic Safety Information System Improvements**.

(2) *Estimated hours per respondent*.....90

(3) **Estimated annual burden hours**.....**5130**

The estimated number of respondents is based on the number of eligible States, as prescribed by SAFETEA-LU, under each program. We estimate that for each of the three grant programs, it will take approximately 30 hours to collect, review and submit the reporting information to NHTSA.

Based on an estimated cost of \$50 per employee, each response to all programs is estimated to cost a State \$4,500. If all eligible States applied, the total cost on all respondents would be \$234,000. It is not anticipated, however, that all States will apply each year.

13. Provide estimates of the total annual cost to the respondents or record keepers resulting from the collection of information (do not include the cost of any hour burden shown in Question 12 or 14.

Not applicable. There are no capital, start-up or annual operation and maintenance costs involved with the collection of information.

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

The estimated annualized costs to the Federal Government are based on the amount of time spent on review by attorneys in the Office of Chief Counsel and program staff in the Office of Injury Control and Resources. We estimate that at an average cost of \$50 per hour and an estimated level of 10 hours per respondent, the total cost, if every State applies for each grant program, would be \$78,000.

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

This is a new collection. Therefore, the program changes reported in Items 13 (5130 hours) and Item 14 (0 costs) represent the difference between the total annual hour requested/total annual costs requested and zero.

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

This item is not applicable.

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 being sought to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-1.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This standard does not include the collection of statistical information.

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Attachments
Federal Register 60-Day Notice
Federal Register 30-day Notice
23 U.S.C. § 402

23 C.F.R. § 1200.33

HS-217

Section 2011 of SAFETEA-LU, P.L. 109-59.