

SUPPORTING STATEMENT
FOR
CONSOLIDATED LABELING REQUIREMENTS FOR
MOTOR VEHICLES (EXCEPT THE VIN)
(FMVSS Nos. 105, 135, 205, 209 and Part 567)

OMB Clearance Number 2127-0512

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A JUSTIFICATION

This document revises the previous version of the Supporting Statement for Consolidated Labeling Requirements for Motor Vehicles (Except the VIN) (OMB Control Number 2127-0512). NHTSA is seeking to combine the provisions of an existing collection (OMB control number 2127-0038, "49 CFR 571.205, Glazing Materials") for glazing materials into the provision for this collection for consolidated labeling. The consolidation is appropriate because the provisions for glazing materials in both collections are interrelated. Particularly, the combined provisions will address the process that vehicle manufacturers follow in gaining a unique identification number from NHTSA and then labeling each piece of vehicle glazing with that number to verify compliance with Federal standards.

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

49 U.S.C. 30111 (Attachment 1) authorizes the issuance of Federal Motor Vehicle Safety Standards (FMVSS) and regulations. The agency, in prescribing a FMVSS or regulation is to consider available relevant motor vehicle safety data, and consult with other agencies as it deems appropriate. Further, the statute mandates that in issuing any FMVSS or regulation, the agency considers whether the standard or regulation is "reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed," and whether such a standard will contribute to carrying out the purpose of the Act.

The Secretary is authorized to issue, amend, and revoke such rules and regulations, as he/she deems necessary. The Secretary is also authorized to require manufacturers to provide information to first purchasers of motor vehicles or motor vehicle equipment when the vehicle or equipment is purchased, in a printed matter placed in the vehicle or attached to or accompanying the equipment. In addition, this collection supports the Department of Transportation's strategic goal in safety, by working towards the elimination of transportation related deaths and injuries.

Using this authority, the agency issued the following FMVSS and regulations, specifying labeling requirements to aid the agency in achieving many of its safety goals:

FMVSS or Part	Date of Issue	Effective Date	Federal Reg. Cite	Labeling Section
105	7/19/76	7/19/76	41 FR 29696	S5.4
135	2/2/95	2/2/95	60 FR 6434	S5.4
205	1/2/68	9/9/68	32 FR 2414	S6.0
209	1/4/69	7/1/71	34 FR 15421	S4.1(j) and (k)
567	4/14/71	6/1/71	36 FR 7056	S567.4

A copy of each FMVSS listed in the table above is included in Attachment 2.

FMVSS No. 105, “Hydraulic and electric brake systems” and FMVSS No. 135, “Light vehicle brake systems”

FMVSS Nos. 105 and 135 require, under section 5.4, that each vehicle shall have a brake fluid warning label including a statement about brake fluid requirements in letters at least one-eighth of an inch high on or near the master cylinder reservoirs and located so as to be visible by direct view.

FMVSS No. 205, “Glazing materials”

FMVSS No. 205, in section S6, specifies requirements for glazing materials for use in passenger cars, multipurpose passenger vehicles, trucks, buses, motorcycles, slide-in campers and pickup covers designed to carry persons while in motion. The standard establishes a glazing manufacturer’s identification system and specifies certification and marking for each piece of glazing material. Certification for the items listed comes in the form of a label, tag or marking on the outside of the motor vehicle equipment and is permanently affixed and visible for the life of the motor vehicle equipment.

The purpose of this standard is to aid in reducing injuries resulting from impact to glazing surfaces, and to ensure a necessary degree of transparency for driver visibility. Both glass and plastics are considered to be glazing materials, which provide safety and minimize the possibility of occupants being thrown through the vehicle window in the event of a crash.

[NOTE: FMVSS No. 205 requires cleaning instructions for glazing materials in every Owner's Manual. These provisions are contained under the OMB Clearance Number 2127-0541. This justification for Assigning DOT Code Numbers to glazing manufacturers is solely for certification of compliance with this standard.]

In general, the following information is required:

- Manufacturer's distinctive trademark
- Manufacturer's "DOT" code number
- Model of glazing (alpha-numerical designation)
- Type of glazing (there are currently 13 items of glazing ranging from plastic windows to bullet resistant windshields).

In addition to these requirements that apply to all glazing, certain specialty items such as standee windows in buses, roof openings and interior partitions made of plastic require that the manufacturer affix a removable label to each item. The label specifies cleaning instructions that will minimize the loss of transparency. Other information may be provided by the manufacturer but is not required.

FMVSS No. 209, "Seat belt assemblies"

S4.5(j) of FMVSS No. 209 requires safety belts to be labeled with the year of manufacture, the model, and the name or trademark of the manufacturer. Additionally, replacement safety belts must have labels or accompanying instruction sheets to specify the applicable vehicle models and seating positions (S4.5(k)). All other replacement belts are required to be accompanied by an installation instruction sheet.

Seat belt assemblies installed as original equipment in new motor vehicles are not required to be labeled with position/model information. This information would be useful only if a new assembly already installed in a vehicle is removed with the intention of using the assembly as a replacement in another vehicle; this is not a common practice. Therefore, labeling of original equipment seat belt assemblies is not required.

Part 567, "Motor Vehicle Certification Regulations"

49 U.S.C. 30111 requires each manufacturer or distributor of motor vehicles to furnish to the dealer or distributor of the vehicle a certification that the vehicle meets all applicable FMVSS. This certification is required by that provision to be in the form of a label permanently affixed to the vehicle. Under 49 U.S.C. 32504, vehicle manufacturers are directed to make a similar certification with regard to bumper standards. To implement this requirement, NHTSA issued 49 CFR Part 567. The agency's regulations establish requirements for form and content of the certification labels.

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. 105, "Hydraulic and electric brake systems" and FMVSS No. 135, "Light vehicle brake systems"

These standards establish requirements for labeling to be placed on or near the master cylinder reservoir in such a manner that the label conforms to this standard and is permanently affixed, engraved, or embossed. The statement on the cap must read as follows: "WARNING, clean filler cap before removing, use only (blank) fluid from a sealed container." This information is used by owners or operators and service people to select the proper brake fluids and to take the necessary caution needed in handling the caps of fluid reservoirs.

The purpose of these standards is to insure safe braking performance under normal and emergency conditions. This applies to passenger cars, multipurpose vehicles, trucks and buses

with hydraulic service brake systems. Each manufacturer must identify the recommended fluids to be used in each vehicle it manufactures. If the labeling requirements are mandatory, the likelihood of the addition of improper fluids into a brake system would increase as well as the possibility of dirt contamination.

- FMVSS No. 205, "Glazing materials"

Vehicle manufacturers are required to obtain an identification number and to mark each piece of glass, plastic or combined glass-plastic glazing material installed in a motor vehicle. This mark is referred to as the "DOT Code Number," and identifies the original glass or plastic manufacturer.

The marking is usually accomplished during the manufacturing period through the application of a stencil to each piece of glazing. Several techniques are available for actual use of the stencil such as heat transfer, sand blasting or inking, but the most popular method for glass materials is the use of a ceramic frit (or "ink") which is applied over the stencil and then heated to a relatively high temperature to "fix" the process.

The purpose of the labeling is to document that each piece of automotive glazing material is certified by the manufacturer as being in compliance with the applicable safety requirements and to establish the origin of the glazing material for audit trail purposes.

- FMVSS No. 209, “Seat belt assemblies”

FMVSS No. 209 currently prescribes specific information that each manufacturer must place on each seat belt assembly to certify compliance with the standard and other manufacturing information specific to the webbing production. Although the manufacturers may permanently and legibly mark the seat belt webbing with the required information, typically they use a sewn-on cloth label stamped with indelible ink. Cloth strips are fed through a printing machine, then cut into the individual labels, which are then sewn onto the webbing during the stitching operation that secures the webbing to the metal components of the seat belt assembly.

- Part 567, “Certification”

Part 567 provides tangible evidence of the identity of the company which is responsible for a vehicle's compliance with safety and bumper standards. In the case of vehicles manufactured by more than one company, the label identifies which company is responsible for which portion of the overall compliance. The label provides other information of use to the consumer, including the date of manufacture of the vehicle, the gross vehicle weight rating, and its gross axle weight rating. Manufacturers are free to apply the certification label in any manner they choose provided that it is permanently affixed. This is typically accomplished by riveting or otherwise permanently bonding a stamped metallic certification label or tag to the vehicle structure during the manufacturing process.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.** _

To reduce the burden for glazing manufacturers, the agency is encouraging electronic submission of their information. However, the respondents may choose to submit the requested information by mail in a prescribed format. Currently, 65% of the respondents are using electronic submissions and 35% of the respondents are submitting by mail.

The brake fluid reservoir labeling requirements in FMVSS Nos. 105 and 135 are met by vehicle manufacturers primarily by automatically embossing or engraving the required information onto the reservoir during the reservoir manufacturing process. This process does not involve the generation or storage of information by the government or the vehicle manufacturers. Information technology is used to design the process in which the required information is affixed to the brake fluid reservoir.

The other requirements covered by this collection relate to permanent labels with safety information needed throughout the useful life of the equipment. Manufacturers have developed efficient, practical and inexpensive solutions to the labeling requirements. For example, the current labeling requirements are etched on glass or other glazing, appear on metal tags affixed to the vehicle body, or are affixed to vehicle equipment, such as the brake fluid reservoir.

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

NHTSA is the only Federal agency requiring manufacturers to label motor vehicles and motor vehicle equipment under the provision of the various acts it administers. No other Federal agency has this authority, and therefore no duplication occurs.

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

The physical processes involved in labeling as required by the various safety standards cited in this submission are longstanding industrial practices and are easily achieved by all vehicle manufacturers, including small business. However, most of the labeling requirements are done by large businesses and small businesses subsequently use those products.

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

All labeling included in this collection is placed on motor vehicle equipment at the time it is manufactured. All safety labeling requirements are necessary for vehicle use on the nation's highways. The lack of labeling would allow potentially unsafe items of motor vehicle equipment to be placed on motor vehicles and could be the subject of failures causing vehicle crashes, injuries and deaths.

As for the identification of glazing manufacturers, the collection of information is only required one time. Less frequent reporting would mean that the DOT code numbers would not be assigned in time for glazing to be manufactured for the automotive market. Absence of this code mark would mean the glazing material would be available to the public without manufacturer's proof that the material passed minimum safety standards. Additionally, if the information were not collected, the ability to determine the identification of the glazing manufacturer in crashes involving defects would be placed in jeopardy.

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.**

There are no special circumstances requiring labeling requirements or assigning manufacturer glazing identification numbers to be reported in a manner inconsistent with these guidelines.

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.**

On April 9, 2007, a request for public comment was published in the Federal Register (72 FR 17598) soliciting comments regarding the proposed merger of the existing OMB control number 2127-0038, "49 CFR 571.205, Glazing Materials," into 2127-0512, "Consolidated Labeling Requirements for Motor Vehicles (except the VIN)." A copy of the Federal Register Notice is included as Attachment 3. No comments were received on this notice.

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.

Assurance of confidentiality is neither desired nor necessary in this situation because all of the required information is intended to be accessible to any interested party.

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

The information provided is not of a sensitive nature or commonly considered private.

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

- FMVSS No. 105, “Hydraulic and electric brake systems” and FMVSS No. 135, “Light vehicle brake systems”

Number of labels	15,500,000
Frequency (performed during manufacturing processing)	1
Technical burden (time required for affixing labels)	0.0002 hrs
Total annual burden	3,100 hrs

- FMVSS No. 205, “Glazing materials”

In consolidating the two collections of information, higher burden hours are established than in the previous supporting statements. The combined burden hours are assessed as follows:

(1) Request for Identification Number

Number of new glazing manufacturers per year	26
Technical annual burden for each new manufacturer to request identification number	1 hr
Total burden hours (26 x 1)	26 hrs ¹

¹ The Federal register notice that was published on April 9, 2007, overlooked burden hours or costs for this work. These estimates are added in this document and in the notice announcing the Information Collection Request (ICR) that has been forwarded to the Office of Management and Budget (OMB) for review and comment.

(2) Labeling for Glazing Materials

Number of new glazing manufacturers per year	26
Number of new glazing models per year	175
Frequency of response	1
Technical annual burden for each new manufacturer (man hours)	40 hrs
Technical burden per new glazing model (man hours)	0.23 hrs
Total burden hours ((26 x 40) + (175 x 0.23))	1,106 hrs

- FMVSS No. 209, “Seat belt assemblies”

Burden hours associated with new seat belt labels for this standard are assessed as follows:

(1) Manufacturing of the Label Stamps

Number of new seat belt assembly model numbers per year	10,605
About half require new label stamps	5,302
Number of hours to support each stamp (man hours)	0.6
Technical burden to support each stamp (man hours)	0.25
Total burden per stamp (man hours)	0.85
Estimated annualized burden total (man hours)	4,507

(2) Production Labels for all Safety Belts

Approximately 8.08 million passenger cars are produced annually with an average of 5 seat belt assemblies per vehicle.	
Approximately 7.45 million trucks, multipurpose vehicles, and buses and produced with an average 3.5 seat belt assemblies per vehicle	
Total seat belt assemblies to be labeled	66.5 million
Total number of seat belt manufacturers	15
Total each manufacturer produces each year	4.43 million
High speed printing machine time to ink labels	0.0000347 hrs.
	at the rate of 8 per second or
Total technical annual burden (man hours)	2,307
Total burden per year (4,507 hrs. + 2,307 hrs.)	6,814

- Part 567, “Certification”

Annual total number of labels affixed to vehicles by manufactures in compliance with Part 567	12,000,000
Man hour burden per label for vehicle manufacturers	0.005
Total burden for industry (12,000,000 x 0.005hrs)	60,000 hrs.
Annual total number of importers complying with Part 567	500
Man hour burden per import to comply with Part 567	6.01 hrs
Total burden for importers (500 x 6.01 hrs)	3,005 hrs.
Annual total number of labels affixed to vehicles by incomplete vehicle manufacturers in compliance with Part 567	556,600
Man hour burden per label for incomplete vehicle manufacturers	0.0002 hrs.
Total burden for incomplete vehicle manufacturers (556,600 x 0.0002 hrs)	112 hrs.
Total burden hours (60,000 hrs + 3,005 hrs + 112 hrs)	63,117

In summary, the total burden hours and cost are all of the standards are as follows:

Regulation or Standard	Number of Respondents	Rate of Burden/equip(hours)	Total Yearly Burden (hours)
FMVSS 105/135	24	0.0002	3,100
FMVSS 205	26	1	26
	26	40	1,040
	175	0.23	40
FMVSS 209	15	0.0000347	6,814
Part 567	1000	0.005	63,117
Total	1266		74,137

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Cost associated with the burden hours is \$1,482,740.00 (\$20 per hour multiplied by \$74,137.00)

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

- FMVSS No. 105, “Hydraulic and electric brake systems” and FMVSS No. 135, “Light vehicle brake systems”

The cost to the respondents is approximately \$62,000 per year. This estimate is based on a \$20 per hour cost times 3,100 annual burden hours.

- FMVSS No. 205, “Glazing materials”

The cost to the respondents is approximately \$22,120 per year. This estimate is based on a \$20 per hour cost times 1,106 annual burden hours.

FMVSS No. 209, “Seat belt assemblies”

The cost to the respondents is approximately \$136,280 per year. This estimate is based on a \$20 per hour cost times 6,814 annual burden hours.

- Part 567, “Certification”

The cost to the respondents is approximately \$1,262,340 per year. This estimate is based on a \$20 per hour cost times 63,117 annual burden hours.

Summary estimate of total annualized cost to respondents or recordkeepers

Regulation or Standard	Total Yearly Cost
FMVSS 105/135	\$62,000
FMVSS 205	\$22,120
FMVSS 209	\$136,280
Part 567	\$1,262,340
Total	\$1,482,740

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

- FMVSS No. 105, “Hydraulic and electric brake systems” and FMVSS No. 135, “Light vehicle brake systems”

There is no annualized cost to the Federal government as the manufacturers certify that the labels meet the requirements for this regulation. There is no exchange of correspondence, tabulation of data or response necessary.

- FMVSS No. 205, “Glazing materials”

The cost to the Federal Government associated with generating the letters, and assigning the DOT code numbers is estimated to be an annual cost of \$4,224.40. This includes record keeping, maintenance of log books, mail services, and maintenance of a computerized data base of all glazing manufacturers.

- FMVSS No. 209, “Seat belt assemblies”

There is no annualized cost to the Federal government as the manufacturers certify that the labels meet the requirements for this regulation. There is no exchange of correspondence, tabulation of data or response necessary.

- Part 567, “Certification”

There is no annualized cost to the Federal government as the manufacturers certify that the labels meet the requirements for this regulation. There is no exchange of correspondence, tabulation of data or response necessary.

Summary estimate of annualized cost to federal government

FMVSS No. 105 and 135	none
FMVSS No. 205	\$4,224.00
FMVSS No. 209	none
Part 567	none
Total	\$4,224.00

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

The burden increase is due to consolidating requirements from the two collection of information for glazing materials. There have been no other program changes in adjustments.

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

The agency has no plans for the publication of the collected information.

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.

Not applicable.

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

No exception to the certification statement are made.

B. COLLECTION OF LABELING FOR STATISTICAL METHODS

The labeling requirements for the motor vehicle equipment to the requirements of FMVSS Nos. 105, 135, 205 and 209 and Part 567, do not employ any statistical methods, and therefore, are exempt from applying the criteria of Section B within this Supporting Statement.

Attachments

~~1. Title 49 United States Code, Section 30111~~

~~2. Title 49 Code of Federal Regulations Parts 571.105, 571.205, 571.209 and 567~~

~~3. Federal Register Notice, Request for Comments, April 9, 2007 (72 FR 17598)~~

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ATTACHMENT 1

~~Title 49 United States Code, Section 30111~~

ATTACHMENT 2

Title 49 Code of Federal Regulations Parts ~~571.105, 571.205, 571.209 and 567~~

ATTACHMENT 3

Federal Register Notice, Request for Comments, April 9, 2007 (72 FR 17598)