

**Supporting Statement  
for  
49 CFR Part 537, Automotive Fuel Economy Reports  
49 CFR Part 536, Transfer And Trading Of Fuel Economy Credits  
OMB Control Number: 2127-0019**

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

49 United States Code (U.S.C.) 32907(a) requires a manufacturer to submit reports to the Secretary of Transportation on whether a manufacturer will comply with an applicable average fuel economy standard under 49 U.S.C. 32902 of this title for the model year for which the report is made; the actions a manufacturer has taken or intends to take to comply with the standard; and other information the Secretary requires by regulation. To implement this statutory requirement, the agency issued a regulation specifying the required content of the Automotive Fuel Economy Reports.

Under 49 CFR Part 537, NHTSA is proposing that manufacturers would be required to provide data on vehicle footprint so that the agency could determine a manufacturer's required fuel economy level. This information collection would be included as part of the existing fuel economy reporting requirements—light truck manufacturers are already required to provide this information to NHTSA, but NHTSA is now proposing to require it of passenger car manufacturers as well. NHTSA would need the footprint information to determine a manufacturer's required fuel economy level and its compliance with that level. Additionally, under a new 49 CFR Part 536, NHTSA is proposing that manufacturers and other persons wishing to trade fuel economy credits would be required to provide an instruction to NHTSA with regard to the credits to be traded. NHTSA would need the credit trading instruction to ensure that its records of a manufacturer's available credits are accurate in order to determine whether a manufacturer has sufficient credits available to offset any non-compliance with the CAFE requirements in a given year.

This supports the DOT performance goal of safety.

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

The information is used for four major purposes:

- to provide the National Highway Traffic Safety Administration (NHTSA) with advance indication whether automotive manufacturers are complying with the applicable average fuel economy standards;
- to furnish NHTSA with the necessary information to prepare its annual update on the

- Automotive Fuel Economy Program;
- to aid NHTSA in responding to general requests concerning automotive fuel economy, which we routinely receive from Congress, other executive branches, federal agencies, and the public; and
- to supply NHTSA with detailed and current technical and economic information that will be used to evaluate possible future average fuel economy standards.

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

49 CFR Part 537 does not impose any obstacles for automotive manufacturers to use improved information technology to forward this information to NHTSA. NHTSA encourages automotive manufacturers to submit these reports in tabular formats on computer disks using any NHTSA approved database structure. The automotive manufacturers use 100 percent automation to calculate and compile the fuel economy data.

The agency does not receive 100 percent of this information electronically. Primarily, automotive manufacturers send the agency the information in written format (hard copy). Ten percent of the information is received electronically. We will call automotive manufacturers requesting the information be forwarded to the agency via e-mail or disk to encourage 100 percent automotive manufacturers' use of information technology applications for submitting fuel economy information.

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

Some data required in these reports are also required by the Environmental Protection Agency (EPA), but the use of the information by NHTSA differs from EPA. NHTSA's rule permits automotive manufacturers to submit portions of their EPA submissions to this agency in which the same information submitted is listed in the semi-annual fuel economy reports.

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

None of the automotive manufacturers involved in this reporting requirement is a small business.

6. Describe the consequences to the Federal program or policy activities if the information collection were conducted less frequently.

If the reports were required less frequently, NHTSA would not have current information to evaluate whether automotive manufacturers comply with the applicable fuel economy standards. NHTSA would not have the necessary information to prepare its annual update on the automotive fuel economy program. NHTSA could not effectively response to inquiries received from Congress, other executive branches, federal agencies, and the public. NHTSA would not have sufficient information to evaluate possible future average fuel economy standards for

passenger automobiles, especially light trucks, or to initiate other rulemaking activities, if applicable.

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

The procedures specifying the automotive fuel economy report information are fully 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, a description of 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 amendment to the revision of this collection was made in response to comments received to a Notice of Proposed Rulemaking (NPRM) in the Federal Register (73 FR 24352; May 2, 2008). The amendment was not part of the May 2008 proposal. However, NHTSA received no comments relevant to the Paperwork Reduction Act Analysis. The language codifying the changes to this information collection was included in the Final Rule for MY 2011 Corporate Average Fuel Economy standards (74 FR 14196).

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. Provide any assurance of confidentiality provided to respondents.

49 CFR 537.12 Confidential information of the agency's regulation establishes the procedures by which NHTSA will consider claims that information submitted to the agency is confidential information. The regulation provides that if a respondent claim its reports contain confidential information the agency will consider that claim under this section.

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

There are no questions of a sensitive nature.

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

The total number of burden hours associated with this collection is 2,339 hours. This calculation is explained as follows:

Twenty-two automotive manufacturers must comply with 49 CFR 537. For each current model year, each manufacturer is required to submit semi-annual reports: a pre-model year report and a mid-model year report. The pre-model year report must be submitted during the month of December, and the mid-model year report must be submitted during the month of July. The total number of responses submitted by automotive manufacturers is 44. We currently have a clearance for 2,097 hours.

For passenger car manufacturers to provide footprint data under 49 CFR Part 537, NHTSA estimates that each passenger car manufacturer would incur an additional 10 burden hours per year. This estimate is based on the fact that data collection would involve only computer tabulation. Thus, each passenger car manufacturer would incur an additional burden of 10 hours or a total on industry of an additional 220 hours a year (assuming there are 22 manufacturers).

For manufacturers and other persons to issue instructions to NHTSA for credit trading under 49 CFR Part 536, NHTSA estimates that each instruction would incur an additional 1 burden hour per year. This estimate is based on the fact that the data required is already available and thus the only burden is the actual preparation of the instruction.

NHTSA estimates that the maximum instructions it would receive each year is 22. While non-manufacturers may also participate in credit trading, NHTSA does not believe that every manufacturer would need to, or be able to, participate in credit trading every year. Additionally, given that Part 536 has not yet been implemented, NHTSA does not, at this time, have a way of estimating how many non-manufacturers may wish to participate in credit trading. Therefore, NHTSA believes that the one instruction per manufacturer times the total number of manufacturers is a reasonable estimate, for a total annual additional burden of 22 hours a year.

NHTSA estimates that the recordkeeping burden resulting from this collection of information would be 0 hours because the information would be retained on each manufacturer's existing computer systems for each manufacturer's internal administrative purposes. There would be no capital or start-up costs as a result of this collection. Manufacturers can collect and tabulate the information by using existing equipment. Thus, there would be no additional costs to respondents or record keepers.

Combining the additional burden for reporting footprint data and for credit trading results in an annual additional burden of 242 hours a year. Adding that burden to the existing burden of 2,097 hours results in a total of 2,339 hours.

At an assumed rate of \$24.83 an hour, the annual, estimated cost of collecting and preparing the additional passenger car footprint information is \$5,462.60. At an assumed rate of \$24.83 an hour, the annual estimated cost of collecting and preparing the credit trading instruction is \$546.26. At an assumed rate of \$24.83 an hour, the annual estimated cost associated with the burden hours is \$6008.86.

13. Provide estimates of the total annual cost to the respondents or record keepers.  
There are no cost to the respondents or recordkeepers.

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

The annual cost to the Government to review the reports for compliance, analyze the data, distribute the reports to NHTSA users, and control and store the confidential information is \$30,000 (\$23,000 for labor cost and \$7,000 for administrative cost) per year for a nominal effort of about 583 professional and 362 administrative annual hours.

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

Item 13 of the OMB Form 83-1, annual reporting and recordkeeping hour burden, is modified. The previous annual hours did not include the new reports required by the 2009 amendment to the CAFE program. The annual reporting burden increased from 2097 to 2339.

16. For collection of information whose results are planned to be published for statistical use.

This collection of information will not have the results published for statistical use.

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 display the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19. "Certification for Paperwork Reduction Act Submissions," of OMB Form 8301.

No exceptions to the certification statement are made.

19. Collections of information employing statistical methods.

This collection of information does not employ statistical methods.