

DEPARTMENT OF TRANSPORTATION
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Docket No. NHTSA-2009

Reports, Forms, and Recordkeeping Requirements

Agency: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

Action: Request for public comment.

Summary: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a request for emergency clearance for a collection of information associated with identifying and registering dealers of new passenger cars and new trucks to assist the agency in establishing the Consumer Assistance to Recycle and Save (CARS) Program. The establishment of this Program is required by the Consumer Assistance to Recycle and Save (CARS) Act of 2009, which was signed into law on June 24, 2009.

This document announces the first in a series of requests to OMB to approve collections of information to establish and administer the CARS Program.

Dates: Comments must be received on or before [INSERT DATE 60 DAYS FROM PUBLICATION IN THE FEDERAL REGISTER].

Addresses: Comments must refer to the docket notice number cited at the beginning

of this notice, and be submitted to: Mr. David Sparks, Special Agent in Charge, Office of Enforcement, at (202) 366-5953 or Ms. Dorothy Nakama, Attorney-Advisor, Office of the Chief Counsel at (202) 366-2992.

The mailing address for both officials is: NHTSA, 1200 New Jersey Ave., S.E. Washington, DC 20590.

It is requested, but not required, that 2 copies of the comment be provided.

Commenters may also, but are not required to, submit their comments to the docket number identified in the heading of this document by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Mail: Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590
- Hand Delivery or Courier: West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.
- Fax: (202) 493-2251.

You may call the Docket Management Facility at 202-366-9826.

Regardless of how you submit your comments, you should mention the docket number of this document.

For further information contact: Complete copies of the request for collection that is the subject of this notice may be obtained from Mr. David Sparks at (202) 366-5953 or Ms. Dorothy Nakama at (202) 366-2992.

The mailing address for both officials is: NHTSA, 1200 New Jersey Ave., S.E. Washington, DC 20590.

Supplementary Information: Under the Paperwork Reduction Act of 1995, before a proposed collection of information is submitted to OMB for approval, Federal agencies must first publish a document in the *Federal Register* providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

- (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (iii) How to enhance the quality, utility, and clarity of the information to be collected; and
- (iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

In this notice, we are soliciting public comment on the following collection of information associated with identifying and registering dealers of new passenger cars and new trucks and the dealers' uniquely identified authorized Program representatives. This information is necessary for the agency to establish the Consumer Assistance to Recycle and Save (CARS) Program. We are asking OMB for processing through emergency procedures established at 5 CFR Section 1320.13, and have asked OMB to approve or disapprove this collection within a week.

Title: Consumer Assistance to Recycle and Save Program, Dealer Information;

OMB Control Number: None assigned, this is a new collection of information.

Form Number: NHTSA Form 1070.

Requested Expiration Date of Approval: One Hundred and Eighty days from approval date.

Type of Request: Emergency clearance.

I. Summary of the Collection of Information:

NHTSA is taking measures to lay the groundwork for the CARS Program to ensure that there is a comprehensive list of eligible new fuel efficient vehicles, that only eligible dealers of new motor vehicles participate in the CARS Program, and that NHTSA provides information necessary to determine if a used vehicle is eligible as a trade-in.

This request to collect information is necessary to uniquely identify and register participating new vehicle dealers and their uniquely identified authorized Program

representatives. Pursuant to the Program requirements, NHTSA will electronically transfer Treasury funds into the accounts of registered dealers on behalf of eligible consumers. As such, NHTSA must collect sufficient information from all parties involved to ensure the Program objectives are realized while minimizing the risk of fraud. Each transaction shall involve two vehicles (one eligible used vehicle to be turned in, and one new vehicle to be purchased), one or more consumers, one registered dealer, an individual authorized by the dealer to submit a voucher application package, and one or more entities involved with the proper disposal of the trade-in. Each required transaction element shall be supported with documentation or electronic verification.

II. Description of the Need for the Information and the Proposed Use of the Information:

NHTSA needs the information to accomplish the statutory requirements of the CARS Act of 2009. In accordance with the Act, the Department will (via a website: www.cars.gov) publicly identify eligible vehicles and participating dealers. Consumers wishing to participate in the Program will access this information. Aggregate information will be reported to Congress.

The information collected will be used to identify eligible dealers and provide them with an opportunity to voluntarily register to participate in the Program. Dealers wishing to participate will supply additional functional information necessary to confirm eligibility, identify authorized employees, and process transactions and vouchers.

III. Description of the Likely Respondents (Including Estimated Number and Proposed Frequency of Response to the Collection of Information):

It is important to note that all the information described below will be collected from original vehicle manufacturers and from dealers once, so that the CARS Program may be established.

A. Number of Respondents:

Information from Original Vehicle Manufacturers - NHTSA will begin by collecting information about dealers that may be eligible for participation in the Program. It will do so by contacting approximately 26 original vehicle manufactures (either directly by NHTSA personnel, through use of contractors, or through trade associations or other parties).

Information from Dealers - NHTSA estimates that there will be total of 19,000 dealers that will respond to the collection of information and that there will be two persons (on average) at each dealership authorized to participate in the CARS Program, for a total number of 38,000 dealer authorized employees

B. Estimated Burden on Respondents:

Vehicle Manufacturers - For each original vehicle manufacturer, NHTSA believes the contacted vehicle manufacturers will spend four hours (through use of electronic methods) creating the dealers lists and eight hours creating the list of eligible vehicles.

Dealers - NHTSA estimates that it will take each dealership 20 minutes to create a primary user's profile, to finalize account setup and review certifications, and 15 minutes to establish secondary authorized user account and review certifications

IV. Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting from the Collection of Information:

Vehicle Manufacturers - This will be a total of twelve hours per manufacturer. Twelve multiplied by 26 original vehicle manufacturers results in a total of 312 burden hours.

Vehicle manufacturers will have no recordkeeping burdens associated with this collection.

Dealers - The estimated total annual burden to create the primary user's profile, finalize account setup and review certifications is 19,000 dealers at 20 minutes per dealer for a total of 380,000 minutes or 6333 hours (380,000 divided by 60).

For establishing secondary authorized user accounts and reviewing certifications, the estimate is 19,000 individuals working at dealerships at 15 minutes per individual for a total of 285,000 minutes or 4750 hours (285,000 divided by 60).

Dealers will have no recordkeeping burdens associated with this collection.

Total Burden - 6333 hours plus 4750 hours results in a total of 11,083 hours (for dealers).

11,083 hours plus 312 burden hours (for manufacturers) results in a total of 11,395 burden hours associated with this collection of information.

Authority: 44 U.S.C.3506(c); delegation of authority at 49 CFR 1.50

Issued on:

Daniel C. Smith
Associate Administrator for
Enforcement

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