

SUPPORTING STATEMENT
FOR 49 CFR Part 579

Reporting of Information and Documents about Potential Defects

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information

The Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) was enacted on November 1, 2000. This Act includes a requirement that the National Highway Traffic Safety Administration (NHTSA) conduct Early Warning Reporting (EWR) rulemaking to require manufacturers of motor vehicles and motor vehicle equipment to submit information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that would assist NHTSA in identifying potential safety-related defects. The intent of this legislation is to provide early warning of such potential safety-related defects.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate actual use the agency has made of the information received from the current collection.

The Early Warning information sought by NHTSA is used to promptly identify potential safety-related defects in motor vehicles and motor vehicle equipment in the United States. When a trend in incidents arising from a potentially safety-related defect is discovered, NHTSA relies on this information, along with other agency data, to determine whether or not to open a formal defect investigation. NHTSA is authorized to conduct such investigations by Title 49 U.S.C. Chapter 301 – Motor Vehicle Safety. Since its inception in late 2003 EWR data continues to assist in identifying potential safety-related issues. Some of these investigations have influenced safety-related recalls and service campaigns.

Information about safety campaigns conducted by manufacturers in foreign countries on products identical to or substantially similar to products sold in the United States, but not conducted on the U.S. products, provides NHTSA the opportunity to decide whether or not the situation warrants a formal investigation or whether or not, when considering this and other relevant information, there

should be a recall of the U.S. products. The agency influenced some domestic recalls based on submissions of information on foreign campaigns.

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.

The great majority of Early Warning information collected by NHTSA involves the use of electronic technology. Most of the required data is submitted using electronic filing of standard format spreadsheets; and copies of documents, where required, are submitted using standard graphics image transfer in most cases. NHTSA's Office of Defects Investigation (ODI) has developed a new data system for its operations, and a key part of this data system is the functional capability to receive electronic transfer of EWR data. This includes an Internet data repository through which the reports can be submitted. Over 90 percent of the EWR data submitted by manufacturers utilize electronic submission. NHTSA has closely coordinated the design of the data system to accommodate manufacturers' needs. If a manufacturer does not have the capability to utilize electronic submission (i.e. high speed data transfer), alternatives are available, including electronic forms on NHTSA's web site.

The information collected on foreign safety campaigns consists of a document, which could be created using word processing software, submitted by means of regular mail. Alternatively, the regulation permits electronic submission in the same manner that the Early Warning data is submitted.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.

NHTSA is the only governmental agency that requires manufacturers to submit this information consequently; there is no duplication of the data submitted and the information is not already available.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Light vehicle manufacturers, trailer manufacturers, motorcycle manufacturers, and medium and heavy truck manufacturers of fewer than 5,000 vehicles, emergency vehicle manufacturers of fewer than 500 vehicles, and bus manufacturers of fewer than 100 buses, as well as manufacturers of motor vehicle equipment other than tires and child restraint systems, will be exempt from most of the reporting requirements, and will be required to report only claims and

notices of deaths caused by possible defects in their products. Although the EWR requirements may impact small child restraint, tire, some bus and emergency vehicle manufacturers, NHTSA has used the EWR data to influence a significant recalls. Therefore, the agency believes that the injury reducing and life saving benefits of removing defective equipment from our roads outweighs the burden to these small businesses.

With regard to foreign safety campaigns, this information collection can impact small businesses, however the information that is required has been set at the minimum necessary to describe the safety recall or safety campaign and how it potentially affects identical or similar products sold in the United States.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The information is essential to the implementation of EWR. Without it, the objectives of the TREAD Act cannot be achieved. These include reducing the number of motor vehicle crashes, and the number of associated injuries and deaths by providing early warning of safety-related defects. However, this new rule will reduce the burden on the industry without comprising our ability to adequately identify potential safety-related defects. The new rule raises the minimum reporting requirement on light vehicle, motorcycle, trailer, and medium and heavy truck manufacturers from 500 to 5,000 units. Light vehicle, motorcycle, trailer, and medium and heavy truck manufacturers producing fewer than 5,000 units per year will now have to submit only information related to incidents involving fatalities. However, manufacturers of emergency vehicles producing 500 or more units per year must still file quarterly reports. For buses, the threshold is reduced to 100 or more buses produced annually. The new rule will continue to require quarterly reporting because the frequency of reporting affects the timeliness of the action that could be taken to prevent motor vehicle crashes, injuries and fatalities caused by safety-related defects.

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 specified for this data collection are fully consistent with the guidelines set forth in 5 CFR 1320.6. This quarterly information collection is not in connection with a statistical survey, does not require the use of any statistical data classification whether or not reviewed or approved by OMB, does not include any pledge of confidentiality other than that already established in statute or regulation, and does not require submission of proprietary trade secrets or other confidential information other than information for which protection from disclosure is already provided for by statute or regulation. With regard to foreign safety campaigns, the TREAD Act requires that reports be submitted within 5 days of the triggering event in a foreign country, rather than quarterly.

8. Provide a copy of the Federal Register document soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported.

A request for comments on the Notice of Proposed Rulemaking (NPRM) was published in the Federal Register on December 5, 2008, Volume 73, pages 74101 through 74123. In response to the NPRM, we received comments from trade groups, individual manufacturers and advocacy groups. The Small Business Administration (SBA) submitted comments that largely supported the NPRM, but requested NHTSA reconsider raising the reporting threshold for buses, medium-heavy vehicles and motorcycles.

In general, the industry commenters supported the proposals to raise the reporting thresholds for light vehicle and trailer manufacturers. Some commenters requested a subset of their vehicle population, based upon either size of their subsidiaries or geography, be exempted from the light vehicle reporting category. The agency declined to adopt these exceptions because it would reduce the agency's ability to identify potential safety defects in these vehicles.

Some individual trailer manufacturers objected to raising the threshold from 500 to 5,000 trailers annually. These manufactures claimed that a higher threshold would reduce the amount of EWR data submitted by manufacturers of the heaviest, and, in their view, more dangerous trailers. The agency declined to maintain the trailer threshold at 500 because the EWR data belies the premise that raising the threshold to 5,000 trailers would reduce the amount of information on heavier trailers.

In response to comments from SBA, the National Trailer Equipment Association (NTEA) and other entities, the agency reconsidered its decisions with regard to buses, medium-heavy vehicles and motorcycles. Upon further consideration, the agency agreed with NTEA that the proposal to eliminate the threshold for buses was overbroad and would result in capturing numerous small entities such as limousines that were not considered buses under EWR. As a result, the final rule sets the threshold for buses at 100 or more buses per year. Additionally, the agency decided to raise the threshold for medium-heavy vehicles (excluding emergency vehicles) and motorcycles to 5,000 or more units per year after its reevaluation showed that an increase to these thresholds would not have a detrimental impact on the agency's ability to identify potential defects in medium-heavy vehicles and motorcycles. The agency declined to raise the threshold for emergency vehicles because the EWR data indicated that any increase in the

threshold would potentially impact the agency's ability to identify problems in those vehicles.

Most commentors acknowledged the problems associated with inconsistent model names, but opposed the addition of a category to the EWR reporting template indicating if a model was a new model or current model. These commentors suggested keeping a requirement for consistent model naming, but not changing the EWR reporting template. In response, the agency configured ARTEMIS to require consistent model naming without requiring changes to the EWR reporting template.

Light vehicle manufacturers and trade groups objected to the proposals to add the vehicle type category and new component codes for electronic stability control (ESC) and fuel or propulsion systems because these amendments would require costly changes to their data collection system and reporting templates. These comments requested that the agency hold a public meeting to review these proposed changes to the EWR reporting templates followed by an additional comment period.

The final rule does not adopt the proposals raised in the NPRM that would have amended the EWR reporting template because the NPRM did not include a proposed template with the proposed changes or include proposed definitions for the fuel and/or propulsion systems. We have decided to publish a separate NPRM in the near future to allow an additional round of comments on the proposed EWR reporting template changes and fuel and/or propulsion system definitions.

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 given to any respondent.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

NHTSA's Confidential Business Information (CBI) regulation, 49 C.F.R. part 512. 72 Fed. Reg. 59434 (Oct. 19, 2007) issued early warning class determinations that certain classes of EWR information are confidential. These classes are warranty claims, warranty adjustments for tires, field reports and hard copies of field reports, consumer complaints, common green tire identifiers and production data for equipment and vehicles other than light vehicles. In addition, NHTSA determined that the last six (6) characters of the Vehicle Identification Number (VIN) in information related to EWR death and injury incident reports are confidential.

The CBI regulation did not establish class determinations for death or injury claims or notices, property damage claims or production information for light

vehicles. If a manufacturer seeks confidential treatment for these data, it must submit a request for confidentiality in accordance with NHTSA's regulations for granting confidential treatment, 49 C.F.R. part 512, *Confidential Business Information* and NHTSA will provide confidentiality, as appropriate

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature are involved in this information collection.

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

Final Regulatory Evaluation for the Tread Act Early Warning Reporting System (July 2002, NHTSA Docket # 8677) estimated the annual burden hours and cost for submitting EWR data based on the number of manufacturers, the number and type of report submitted plus the handling time for each type of document received from industry. The agency will use the same method that was used in the EWR Final Regulatory Evaluation.

Based on the EWR submissions that NHTSA received from manufacturers it is possible to calculate the burden hours for the EWR data collection using NHTSA's prior assessments of the time required to process various types of documents (see Table 3, "Annual Burden Hours"). Since the final rule has not gone into effect, we will estimate the average annual reporting under the final rule using the 2006 and 2007 EWR information. This estimate will be used as the basis to estimate the annual number of burden hours and annual cost. The estimated total number of documents that will be reported to NHTSA in each reporting category for each type of reporting manufacturer under the final rule is shown in Table 1. Following the same rationale used in the past EWR Evaluation, it is assumed that customer complaints, warranty claims, and dealer field reports will not impose incremental burden hours since computer systems are set up to automatically count these aggregate data points. Therefore, in Table 1, the number of records reported in these categories is listed as aggregate data and is included in the burden hour estimate for computer maintenance and reporting.

**Table 1
NUMBERS OF DOCUMENTS THAT WILL BE REPORTED TO NHTSA
UNDER THE FINAL RULE**

Category of Claims	Light Vehicles	Heavy, Med vehicles	Trailers	Motorcycles	Emergency Vehicles	Buses	Tires	Child Restraints	Equipment Mfr.	Mfrs. Below Threshold	Totals
(Injury/Fatality)	4,833	106	10	136	2	20	260	678	25	18	6,088
Property Damage*	9,318	368	671	19	1	57	3,892	NA	NA	NA	14,326
Warranty Claims	Aggregate Data										
Consumer Complaints	Aggregate Data										
Mfr. Field Reports	137,239	6,116	22	5,747	0	1,008	NA	1,859	NA	NA	151,991
Dealer Field Reports	Aggregate Data										
Foreign Death Claims	53	2	0	2	0	1	10	0	3	1	72
Totals:	151,443	6,592	703	5,904	3	1,086	4,162	2,537	28	19	172,477

*Property damage claims are aggregate data but are counted differently because they require more time to manually review.

In the EWR Evaluation, it was assumed that reviewing and/or processing would be required for death and injury claims/notices, property damage claims, (non-dealer) field reports, and foreign death claims. The agency assumed that a total of 5 minutes would be required to process each report with the exception of foreign death claims. For foreign death claims, it would require 15 minutes. Multiplying this average number of minutes times the number of estimated documents NHTSA will receive in each reporting category will yield burden hours (see Table 3).

The burden hours associated with aggregate data submissions for customer complaints, warranty claims, and dealer field reports are included in reporting and computer maintenance hours. The burden hours for computer maintenance are calculated, based on industry input, by multiplying the hours of computer use (for a given category) by the number of manufacturers reporting in a category. Similarly, reporting burden hours are calculated based on industry input, by multiplying hours used to report for a given category by the number of manufacturers for the category. Using these methods and adjusting for the estimated number of manufacturers who will be required to report EWR information after the final rule is in affect, produces an estimate of the burden hours for reporting cost and computer maintenance.

Table 2 shows estimated number of manufacturers who will be required to report EWR data after the final rule is published and estimated number of hours to report per quarter and manufacturer.

Table 2
ESTIMATED NUMBER OF MANUFACTURERS WHO WILL HAVE TO
REPORT EWR DATA UNDER THE FINAL RULE

Vehicle/equipment Category	EWR Final Rule Estimate	Quarterly Hours to Report per Manufacturer	Hours for Computer Maintenance per Manufacturer
Light Vehicles	30	8	347
Medium, Heavy Vehicles	29	5	86.5
Trailers	61	1	86.5
Motorcycles	12	2	86.5
Emergency Vehicles	8	5	86.5
Buses	35	5	86.5
Tires	28	5	86.5
Child Restraints	22	1	86.5
Vehicle Equipment	3	1	
Manufacturers producing <500 vehicles per year	18	NA	

Table 3
ESTIMATED ANNUAL BURDEN HOURS AFTER EWR FINAL RULE

Category of Claims	Light Vehicles	Heavy, Med vehicles	Trailers	Motorcycles	Emergency Vehicles	Buses	Tires	Child Restraints	Equipment Mfr.	Mfrs. Below Threshold	Totals
(Injury/Fatality)	403	9	1	11	0	2	22	57	2	2	507
Property Damage	777	31	56	2	0	5	324	NA	NA	NA	1,194
Warranty Claims	Aggregate Data										
Consumer Complaints	Aggregate Data										
Mfr. Field Reports	11,437	510	2	479	0	84	NA	155	NA	NA	12,666
Dealer Field Reports	Aggregate Data										
Foreign Death Claims	13.25	0.5	0	0.5	0	0.25	2.5	0	0.75	0.25	18
Reporting Cost	960	580	244	96	160	700	560	88	12	0	3,400
Computer Maintenance	10,410	2,508	5,276	1,038	692	3,028	2,422	1,900	0	0	27,278
Totals:	23,999	3,638	5,579	1,626	852	3,819	3,331	2,202	15	2	45,063

Note: Totals may not be exact due to rounding.

In order to provide the information required for foreign safety campaigns, manufacturers must (1) determine whether vehicles or equipment that are covered by a foreign safety recall or other safety campaign are identical or substantially similar to vehicles or equipment sold in the United States, (2) prepare and submit reports of these campaigns to the agency, and (3) where a determination or notice has been made in a language other than English, translate the determination or notice into English before transmitting it to the agency. In the first OMB justification (November 2002) for this rule, NHTSA estimated that preparing and submitting each foreign defect report (foreign recall campaign) would require 1 hour of clerical staff and that translation of determinations into English would require 2 hours of technical staff (note: this assumes that all foreign campaign reports would require translation, which is unlikely). NHTSA received 118 foreign recall reports in 2008 which results in 118 hours for preparation and submission of the reports (118 defect reports x 1 hour clerical = 118 hours) and 236 hours for technical time (118 foreign recall reports x 2 hours technical = 236 hours.)

With respect to the burden of determining identical or substantially similar vehicles or equipment to those sold in the United States, manufacturers of motor vehicles are required to submit not later than November 1 of each year, a document that identifies the foreign product and their domestic counterparts. In the first OMB justification noted above, NHTSA estimated that the annual list could be developed with 8 hours of professional staff time. NHTSA has received lists from 165 manufacturers for 2008, so this results in 1,320 burden hours (165 vehicle manufacturers x 8 hours = 1,320 hours).

Therefore, the total annual hour burden on manufacturers for reporting foreign safety campaigns and substantially similar vehicles/equipment is 1,674 hours (1,320 hours professional time + 118 hours clerical time + 236 hours technical time). Table 4 shows the total hourly burden for reporting Foreign Safety and Substantially Similar Vehicle Lists to NHTSA.

**Table 4
HOUR BURDEN FOR FOREIGN REPORTING**

Task	Qty	Occupation	Burden hours	
			Per unit	Total
Annual list	165	Attorney	8	1,320
Defect report	118	Clerical	1	118
Defect report	118	Technical	2	236
				1,674

Table 5 shows the annual burden hours estimated by combining the EWR periodic reporting burden hours with the Foreign Safety Campaigns and Substantially

Similar Vehicle Lists results in the total estimate of annual burden hours to the U.S. automotive industry for the TREAD Act Early Warning Program.

**Table 5
TOTAL BURDEN HOURS FOR TREAD ACT**

Reporting Type	Annual Burden Hours
EWR Reporting (Table 3)	45,063
Foreign Reporting (Table 4)	1,674
Total	46,737

Using the same hourly wage rates provided by the Alliance in May 2002 for various occupations, which were used in the EWR Evaluation and applying the 2003, 2004, 2005, 2006, 2007 and 2008 Employment Cost Index (ECI) percent changes for “Private Industry” provided by the Bureau of Labor Statistics to adjust for inflation, it is believed that a reasonable calculation of the burden cost for the 2008 calendar year can be made. Applying the 12-month percent changes in the ECI (not seasonally adjusted) for 2003 (4.0%), 2004 (3.8%), 2005 (2.5%), 2006 (3.0%), 2007 (3.1%) and 2008 (2.8%) to the hourly wage rates provided by the Alliance, yields the following wage rates for 2008 (see Table 6 below):

**Table 6
HOURLY WAGE RATES BY OCCUPATION**

Occupation	Wage Rate	
	2002	2008
Attorney	\$101.92	\$123.47
Engineer	\$101.92	\$123.47
IT	\$113.80	\$137.87
Technical	\$73.55	\$89.10
Clerical	\$23.99	\$29.06

2008 wage data from industry feedback and [U.S. Department of Labor](#).

In the EWR Evaluation, NHTSA also constructed various breakdowns of the average 5 minutes of labor among the various occupations depending on the type of document that was reviewed. For example, to combine 3 minutes of technical labor and 2 minutes of clerical labor produces a combined wage rate of \$65.09 per hour, using the adjusted 2008 wage rates in Table 6. Table 7 shows the time allocations and weighted hourly rate by report. This data along with the burden hours can then be used to calculate the annual cost. Table 8 shows the annual cost

of reporting EWR information to NHTSA using the information outlined in tables 1, 2, 3, 6, and 7.

Table 7
TIME ALLOCATION AND WEIGHTED HOURLY RATE BY REPORT

Claim Type	Attorney	Engineer	IT	Technical	Clerical	Total Time	Weighted Hourly Rate
Claims of Injury/Death	3	0	0	0	2	5	\$85.71
Property Damage	0	0	0	3	2	5	\$65.09
Mfr. Field Reports	0	0	0	3	2	5	\$65.09
Foreign Deaths	3	10	0	0	2	15	\$110.89

The total cost for 2008 Claims documents were obtained using the following formula:

$$K \times T \times W = \text{Costs for claim type}$$

Where

K = Documents submitted by industry

T = Average time spent on a document

W = Wage rate based on US Department of Labor and skill mix based on industry comments

For example, the estimated cost to report light vehicle death and injury claims is \$34,520 (4,833 death and injury claims reported x 5/60 hours x \$85.71 wage rate).

NHTSA estimates the reporting costs as a function of

- a) the number of manufacturers reporting;
- b) the frequency of required reports;
- c) the number of hours required per report; and
- d) the cost of personnel to report.

The number of manufacturers reporting is estimated from EWR submission. The frequency of reports is fixed at 4 times per year. The number of hours for reporting ranges from 1 hour for trailer manufacturer to 8 hours for light vehicle manufacturers (See Table 2). In addition, we assume that 50 percent of the total burden hours are utilized by technical personnel while clerical staff consumes the remaining 50 percent. In other words, the hourly wage rate for each quarterly report is split evenly between technical and clerical personnel and a weighted average of the wage hour is developed from this assumption. For 2008 the wage

rate is \$59.08 ($[\$89.10 \times 0.5] + [\$29.06 \times 0.5]$). The reporting costs are calculated as follows:

$$M \times T_p \times 4 \times \$59.08 = \text{cost of reporting}$$

Where

M = Manufacturers reporting data in the category

T_p = Reporting time for the category

4 = Quarterly reports per year

\$59.08 = Reporting cost wage rate

Thus, the estimated reporting cost for light vehicles is \$56,721 (30 manufacturer x 8 hours x 4 quarters x \$59.08 wage rate).

The costs for computer maintenance including software, hardware, data storage, etc. were calculated using the following formula:

$$M \times T_c \times I_T = \text{cost of computer maintenance}$$

Where

M = Manufacturers reporting data in the category

T_c = Annual computer maintenance time per manufacturer for the category

I_T = IT wage rate

The computer maintenance costs for light vehicles is \$1,435,193 (30 manufacturers x 347 hours x \$137.87 wage rate).

**Table 8
2008 EWR COSTS (\$) UNDER THE AMMENDED FINAL RULE**

Category of Claims	Light Vehicles	Heavy, Med vehicles	Trailers	Motorcycles	Emergency Vehicles	Buses	Tires	Child Restraints	Equipment Mfr.	Mfrs. Below Threshold	Totals
(Injury/Fatality)	34,520	757	71	971	14	143	1,857	4,843	179	129	43,484
Property Damage*	50,541	1,996	3,640	103	5	309	21,110	NA	NA	NA	77,704
Warranty Claims	Aggregate Data										
Consumer Complaints	Aggregate Data										
Mfr. Field Reports	744,386	33,173	119	31,172	0	5,467	NA	10,083	NA	NA	824,401
Dealer Field Reports	Aggregate Data										
Foreign Death Claims	1,469	55	0	55	0	28	277	0	83	28	1,996
Reporting Cost	56,721	34,269	14,417	5,672	9,453	41,359	33,087	5,199	709	0	200,886
Computer Maintenance	1,435,193	345,839	727,454	143,106	95,404	417,488	333,913	262,360	0	0	3,760,757
Totals:	2,322,829	416,089	745,701	181,079	104,877	464,794	390,245	282,486	971	156	4,909,227

Note: Totals may not be exact due to rounding.

Table 9 shows the total annual costs for reporting EWR data, including foreign safety campaigns based on the revised final rule.

**Table 9
TOTAL COST FOR EWR REPORTING UNDER THE REVISED FINAL RULE**

Task	Qty	Occupation	2008 Wage rate (from Table 6)	Burden hours		Cost (\$)
				Per unit	Total	
Annual list	165	Attorney	\$123.47	8	1,320	158,547
Defect report	118	Clerical	\$29.06	1	118	3,336
Defect report	118	Technical	\$89.10	2	236	20,456
Foreign Campaign Totals					1,674	182,339
Totals from Table 8						4,909,227
Grand Total						5,091,566

13. Provide estimates of the total annual cost to the respondents or recordkeepers resulting from the collection of information.

There will be no other cost resulting from this collection of information, except for the burden hour costs.

14. Provide estimates of the annualized costs to the Federal government.

EWR information is entered into the data system that has been developed by ODI and subsequently analyzed. NHTSA estimates that the annualized cost estimate for EWR data is: \$1,100,000 for collecting and processing, \$50,000 for PC and network support, and \$400,000 for compliance and outreach.

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

In Item 13a), the number of respondents changed from 542 to 246 due to changes in the reporting threshold for manufacturers.

In Item 13b), total annual responses changed from 2,355 to 1,149 due to a decrease in the number of vehicle manufactures that will be required to report under the new rule.

In item 13c), total estimated annual hours decreased from 82,391 to 46,737 burden hours due to a reduction in the number of manufacturers who have to report and consequently a reduction in the amount of information reported.

In Item 14), under the new rule there are approximately 15 additional bus manufacturers who will have to report under the revised final rule. These 15 additional bus manufacturers may have to purchase a computer system in order to fulfill the requirements of the EWR rule. We estimate that the cost of a simple desktop computer with the appropriate database software and properly sized backup-storage device will be \$3,500 per unit. We estimate that the final rule's amendments to EWR will require 15 additional bus manufacturers to submit quarterly reports, giving us a total one-time start-up cost of \$52,500.

116. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

NHTSA's Confidential Business Information (CBI) regulation, 49 C.F.R. part 512. 72 Fed. Reg. 59434 (Oct. 19, 2007) issued early warning class determinations that certain classes of EWR information are confidential. These classes are warranty claims, warranty adjustments for tires, field reports and hard copies of field reports, consumer complaints, common green tire identifiers and production data for equipment and vehicles other than light vehicles. In addition, NHTSA determined that the last six (6) characters of the Vehicle Identification Number (VIN) in information related to EWR death and injury incident reports are confidential.

The CBI regulation did not establish class determinations for death or injury claims or notices, property damage claims or production information for light vehicles. If a manufacturer seeks confidential treatment for these data, it must submit a request for confidentiality in accordance with NHTSA's regulations for granting confidential treatment, 49 C.F.R. part 512, *Confidential Business Information*.

EWR death and injury data, property damage claims or production information for light vehicles that has not been granted confidential treatment by NHTSA's Office of Chief Counsel is available on NHTSA's website at www-odi.nhtsa.dot.gov/ewr/. The data on NHTSA's website is periodically updated to include the latest EWR death and injury data, property damage claims or production information for light vehicles.

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 to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

No exceptions to the certification statement are made.