

**SUPPORTING STATEMENT
FOR
CFR 23 PART 1350
SECTION 2010 MOTORCYCLIST SAFETY GRANT PROGRAM
OMB # 2127-0650**

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.

Section 2010 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, authorizes a grant program for States that adopt and implement effective motorcycle safety programs. Eligibility for the Section 2010 grants is based on 6 grant criteria: (1) Motorcycle Rider Training Course; (2) Motorcyclists Awareness Program; (3) Reduction of Fatalities and Crashes Involving Motorcycles; (4) Impaired Driving Program; (5) Reduction of Fatalities and Accidents Involving Impaired Motorcyclists; and (6) Use of Fees Collected from Motorcyclists for Motorcycle Programs.

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 motorcycle crashes.

The information collected for this grant program is to include application submissions and various reporting requirements. A State that seeks to qualify in the first fiscal year must submit an application containing information demonstrating that it satisfies 1 of the 6 grant criteria. For the second and subsequent fiscal years that it seeks to qualify, a State must submit an application containing information demonstrating that it satisfies 2 of the 6 grant criteria.

A State's application would identify under which of the 6 grant criteria it intends to qualify for a Section 2010 grant. With respect to each of the criteria selected, the proposed rule would require certain submissions from the State to demonstrate that it meets grant criteria.

A State that receives grant funds also must indicate to NHTSA how it intends to expend grant funds for each fiscal year and how grant funds were expended each fiscal year. It is important for NHTSA to be notified about these activities so that it can effectively administer the grant program and account for the expenditure of funds. To reduce burdens, A State will document these activities largely by making use of mechanisms that have received PRA clearance for other similar highway safety programs. 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 expend grant funds for each fiscal year. This reporting requirement, however, will not be a significant extra burden for the States because they are already required by statute to submit an annual Highway Safety Plan. 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. Again, this reporting requirement will not be a significant extra burden for the States because they are already required by regulation to submit an Annual Report for their highway safety program.

2. Indicate how, by whom, and for what purpose the information is to be used.

A State would submit, through its State Highway Safety Agency, an application to the appropriate NHTSA Regional Administrator satisfying the minimum qualification requirements and identifying the grant criteria under which it seeks to qualify. NHTSA would use the information provided to determine the State's eligibility for Section 2010 grant funds in each year. The Program Cost Summary information would allow the agency to track grant funds and ensure that the funds are being used for the purposes specified by statute and regulations.

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.

The application is mailed to NHTSA; however our agency is working toward allowing the states to submit this information electronically. The Program Cost Summary is submitted electronically through a PRA-approved form.

4. Describe efforts to identify duplication.

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

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

This item does not apply.

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

If the information were collected less frequently than annually, it would not be possible to track grant funds or to determine whether a State complies with the grant criteria 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.

There are no such circumstances; 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 March 23, 2010 (75 FR 13806), soliciting public comments on the collection of information.

The comment period expired May 24, 2010. The agency did not receive any public comments.

The agency published a 30-day Notice announcing that the Information Collection Request (ICR) was forwarded to OMB for review and comment on March 28, 2010 (75 FR 30098). The comment period expires on June 28, 2010.

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 and the basis for the assurance in statute, regulation, or agency policy.

No assurance of confidentiality is given by the agency to any respondent.

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.

Number of respondents: 52 (fifty States, the District of Columbia, and Puerto Rico)

Frequency of response: One time per year in each year respondent seeks to qualify

Estimated hours per respondent: 30

Annual burden hours: 1560

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 this grant program, it will take approximately 30 hours to collect, review and submit the information to NHTSA.

Based on an estimated cost of \$50 per employee, each response to this program is estimated to cost a State \$1,500. If all eligible States applied, the total cost on all respondents would be \$78,000. 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.

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 Regional Operations and Program Delivery. 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 this grant program, would be \$26,000.

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

The reason for the program change is a result of the program area adding an additional 1560 burden hours to NHTSA's overall burden hour total through reinstatement.

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. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This standard does not include the collection of statistical information.

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 2010 of SAFETEA-LU, Pub. L. 109-59