

**SUPPORTING STATEMENT
FOR
CONSOLIDATED CHILD RESTRAINT SYSTEM REGISTRATION, LABELING
AND DEFECT NOTIFICATIONS**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

This information collection will provide manufacturers with registration information on each child restraint system (CRS) that in the event of a safety recall, manufacturers can provide direct notification to owners. In addition, this collection supports the United States Department of Transportation's (DOT) strategic goal in safety, by working towards the elimination of transportation related deaths and injuries involving children.

The National Highway Traffic Safety Administration (NHTSA) statute at 49 U.S.C. Subchapter II Standards and Compliance, sections 30111 and 30117, authorizes the issuance of Federal motor vehicle safety standards (FMVSS). The Secretary is authorized to issue, amend, and revoke such rules and regulations as she/he 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.

Using this authority, the agency issued the initial FMVSS No. 213 in 1971. Child restraint systems are devices used for protecting infants and young children in motor vehicle or aircraft crashes. The standard requires child restraints to be labeled with safety information and requires the devices to be accompanied by printed instructions. Instructions for built-in systems are to be printed in the vehicle's owner's manual, OMB Clearance Number 2127-0541, on the deployment and use of the child restraint systems.

On September 10, 1992, the standard was amended to require manufacturers of child restraint systems to register the owners of child restraints so that they may be directly contacted in a recall campaign. The standard requires:

- (a) A two-part perforated registration card. The first part contains a message and suitable instructions to be retained by the purchaser. The second part is to be returned to the manufacturer by the purchaser. The second part includes prepaid return postage, the pre-printed name/address of the manufacturer, the pre-printed model and date of manufacture, and spaces for the purchaser to fill in his/her name and address;
- (b) A permanently attached label on the child restraint which includes a statement providing mailing and telephone instructions (or, at the option

of the manufacturer, a toll-free hotline telephone number) for non-original owner registration and for re-registration, and the US Department of Transportation's Auto Safety toll-free hotline number for reporting and receiving safety-related information about the seat; and

- (c) A filing system containing child safety seat owners' names and addresses maintained by the child restraint manufacturer suitable for easy access in the event of a recall campaign. The registration records are to be maintained by the manufacturer for 6 years.

Other amendments made to FMVSS No. 213 include revisions to (i) address child restraint systems that are integrated in motor vehicle seats, (ii) warn parents by means of a label on rear-facing child restraints against using the restraint in any vehicle position equipped with an air bag, (iii) allow the manufacture of child restraints that are designed for infants with apnea or other breathing problems, (iv) facilitate the manufacture of belt-positioning booster seats designed to be used with the vehicle's lap/shoulder belts, and (v) add a greater array of sizes and weights of test dummies for use in the standard's compliance testing.

On March 5, 1999, a final rule was published establishing FMVSS No. 225, "Child restraint anchorage systems." This new standard requires vehicle manufacturers to equip vehicles with new child restraint anchorage systems that are standardized and independent of the vehicle seat belts. In conjunction with the establishment of FMVSS No. 225, revisions to FMVSS No. 213 were made to require child restraints to be permanently equipped with a means of being attached to the lower vehicle anchorages prescribed in FMVSS No. 225. FMVSS No. 213 was also amended to reduce the limits on allowable head excursion. In response to petitions for reconsideration of the March 1999 rule, minor revisions were made in final rules published in the Federal Register on August 31, 1999, July 31, 2000, and most recently on June 27, 2003. The revisions made to FMVSS No. 213 impose only minor changes with respect to the collection of information requirements. Specifically, the rule newly requires the installation instructions for each child restraint system having components for attaching to the lower anchorages of a vehicle's child restraint anchorage system to include a step-by-step procedure, including diagrams, for properly attaching to those vehicle anchorages.

As part of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act [Pub. L. 106-414, 114 Stat. 1800; November 1, 2000], Congress mandated NHTSA to consider whether to prescribe clearer and simpler labels and instructions for child restraints. On October 1, 2002, NHTSA published a final rule that amends the current requirements for child restraint labels and the written instructions that accompany child restraints. Specifically, the agency is changing the existing location requirements for some labels, requiring most labels to be white with black text, rewording some label statements to simplify their language, requiring mandated statements on labels to be in a

bulleted list headed by the statement “WARNING! DEATH or SERIOUS INJURY can occur”, requiring a new diagram showing the child restraint using the new child restraint anchorage system, and requiring some additional information defining the term “snugly” to be in the written instructions. The Department of Transportation did not submit an information collection request to OMB for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). The affected public is 10 child restraint manufacturers and 6 vehicle manufacturers. This rule does not impose any new information collection requirements on manufacturers. NHTSA did not anticipate a significant change to the hour burden or costs associated with child restraint labels and written instructions.

Also in response to the TREAD Act, NHTSA published a final rule on June 24, 2003 amending FMVSS No. 213 by incorporating four elements into the standard: (a) an updated bench seat used to dynamically test add-on child restraint systems; (b) a sled pulse that provides a wider test corridor; (c) improved child test dummies; and (d) expanded applicability to child restraint systems recommended for use by children weighing up to 65 pounds. This action strengthens the technical underpinnings of the standard and ensures that a firmer foundation is laid for possible technical improvements in the future. Child restraints will be tested using the most advanced test dummies available today and tested to conditions representing current model vehicles. This rule does not impose any new information collection requirements on manufacturers.

In a federal register notice published on September 9, 2005, the agency also modified FMVSS 213 to permit information regarding online product registration to be included on the owner registration form required under the standard. This amendment enhances the opportunity of restraint owners to register their restraints online, which may increase registration rates and the effectiveness of recall campaigns. The final rule also enabled manufacturers to supplement (but not replace) recall notification via first-class mail with e-mail notification, which increases the likelihood that owners learn of a recall. The final rule also required placing a U.S. telephone number on the child restraint labels for the purpose of enabling consumers to register their products by telephone.

As another means of increasing child restraint registrations, NHTSA implemented a registration program to send CRS owners a substitute registration form if owners had lost the registration card. The form contains information explaining the purpose of the registration and a section for owners to provide their name, address, name of the child seat manufacturer, the child seat’s model name and/or number, its date of manufacture, and the owner’s signature and date (authorizing NHTSA to provide a copy of the form to the manufacturer). In the absence of a registration system, many owners of child safety seats are not notified of safety defects and noncompliance, since the manufacturer is not aware of their identities.

Increasing child restraint system registrations is an important part to protecting young children and infants. By registering child restraint systems, product manufacturers will be able to directly contact owners in the event of any safety recalls. Chapter 301 of Title 49 of the United States Code of Federal Regulations (CFR) provides that if either the National Highway Traffic Safety Administration (NHTSA) or a manufacturer determines that a motor vehicle or item of motor vehicle equipment contains a defect that relates to motor vehicle safety or fails to comply with an applicable Federal Motor Vehicle Safety Standard (FMVSS), the manufacturer must notify owners and purchasers of the defect or noncompliance and must provide a remedy without charge. Pursuant to 49 CFR Part 577 Defects and noncompliance notification for equipment items, including child safety seats, must be sent “by first class mail to the most recent purchaser known to the manufacturer.”

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

The requirements of this collection apply to child restraint manufacturers. The provisions of the collection ensure that child restraint manufacturers: (1) produce registration cards, labels and brochures, (2) collect CRS owner registration information and (3) create and keep registration records.

Each manufacturer of child restraint systems must label each system and provide brochures with safety information and instructions on using the restraint. If such information is not provided, the consumer will not know how to properly activate and use the restraints – such as not to use it in front of an air bag – which could result in increased injuries and fatalities of young children and infants in automobiles and aircraft crashes. Without proper use, the effectiveness of these systems is greatly diminished. The manufacturer is also required to provide a printed instructions brochure with step-by-step information on how the restraint is to be activated and used. Therefore, there is a need to have instructions with each add-on and built-in child restraint to explain how the child restraint should be used. A permanently attached label gives quick-look information on whether the restraint meets the safety requirements, recommended installation and use and warnings against misuse.

In collecting owner registrations, a CRS manufacturer receives registration information direct from the card attached to each child restraint device, from the internet (for those manufacturers that allow electronic registration) or from a substitute form sent to the owner by NHTSA. The standard requires the manufacturers to provide owner registration cards and to label their child restraints with a message informing users of the importance of registering the restraint, as well as with information necessary to allow subsequent owners to register the restraint. It also requires manufacturers to develop and maintain a filing system that contains the owner’s name and address that shall be in a form suitable for inspection such as computer information storage devices or card files. The owner information is important to increase the likelihood that owners will

learn of safety recalls of their child restraints, and remedy the safety problems with their restraints.

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

Optionally, child restraint manufacturers are permitted to add to the registration form: (a) Specified statements informing CRS owners that they may register online; (b) the Internet address for registering with the company; (c) revisions to statements reflecting use of the Internet to register; and (d) a space for the consumer's email address. For those CRS owners with access to the Internet, online registration may be a preferred method of registering a CRS.

For those owners who obtain a substitute CRS registration form, an electronic means is available for downloading the form from NHTSA's Internet Web site or consumers can request the form by calling the DOT's Auto Safety Hotline.

There is no technological collection techniques used in the production of child restraint labels. A paper label affixed to the restraint system is generally sufficient under the standard. However, we would like to see more permanent labeling of child restraints. NHTSA had proposed that some information be molded into or heat embossed to the shell to improve durability in a Notice of Proposed Rulemaking (NPRM) published in response to the TREAD Act, but ultimately did not adopt this proposal. Subsequent to the publication of the NPRM, Transport Canada conducted research on child restraint labels. Transport Canada has indicated that other research they are conducting on a performance requirement for label permanence is also promising and they expect to be able to propose a performance requirement when they begin their rulemaking. NHTSA would like to be able to review this research before making a final decision on the permanence and therefore will also repropose that issue in another rulemaking.

Computer-based filing systems are currently being used by most CRS manufacturers in keeping child restraint registration records. Maintaining owners registration information via an electronic database system seems to be the lowest cost viable method to have information available to be used in contacting child restraint owners in case of a need to impart safety information to child restraint owners or to contact them in case of a recall. Manufacturers are required to maintain a file system of this information of their choice, but the standard does not require the use of electronic records.

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

NHTSA is the only Federal agency regulating child restraint systems. Only this agency requires manufacturers of child restraints to label them or to collect

registration information covering names and addresses of owners of child restraints.

No other similar information is available. Each child restraint model is different and requires its own deployment and use instructions. Each user of a child restraint needs such information.

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

This regulation applies to all manufacturers of child restraint systems. In total, there are currently 15 manufacturers producing child restraint systems and none of which are considered small business entities.¹ Nonetheless, NHTSA has minimized the burden on these manufacturers by allowing them to place information on the registration card for purchasers to complete their product registrations via the internet. By registering over the internet, an electronic record is created without the manufacturer having to manually compile a record for each child restraint system. Similarly, if a defect or compliance problem exists with a CRS, the manufacturer is able to better search its records to locate and contact consumers owning the same model of the defective seating system. No other effective easy means has been found to minimize the burden in any other area.

6. Describe the consequence to Federal program and policy activities if the information is not collected or collected less frequently.

If the information is not collected or collected less frequently, there is no assurance that child restraint owners will be given important safety information. The information currently provided on or with the restraint includes instructions on how to correctly use the restraint, and recommendations on which children are suitable for the restraint. Without this information, the effectiveness of child restraints could be greatly diminished.

The child restraint registration information enables manufacturers to directly contact child restraint owners to notify them of safety recalls. This better ensures that owners will hear about a recall and will remedy the safety problem with their systems. Manufacturers must retain the owner registration records for 6 years because NHTSA's records indicate that if a child seat is recalled, it is generally recalled within a 6 year period from the production date of the seat.

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

¹ According to the Small Business Administration (SBA) database listed at http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm.

There are no special circumstances requiring the labeling or owner registration requirements to be reported in a manner inconsistent with those specified in 5 CFR 1320.6.

8. Attach the Federal Register document soliciting comments on extending the collection of information, and a summary of all public comments responding to the notice. Describe efforts to consult with persons outside the agency to obtain their views.

The document was published on March 3, 2011 (76 FR 11848). NHTSA did not receive any comments.

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.

This item does not apply. No assurances of confidentiality are given by the agency, since labeling is a part of the manufacturing process. The required installation and use information is about the use of child restraints by the consumers and confidentiality is neither desired nor necessary.

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

Registration names and addresses are voluntarily provided by consumers are used to contact owners in the event of a recall or safety notification. Even the substitute registration form provided by NHTSA has a statement authorizing the agency to provide the child safety seat registration information to the manufacturer. If written authorization is not provided, the personal identification information is not provided to the manufacturer.

The required labeling is on the use of child restraints and does not include information that might be considered sensitive or private.

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

Estimated Annual Burden: 39,247 hours

Number of Respondents: 15

The total estimate of the burden of the collection of information for Standard 213 is 39,247 hours. The total burden hours for this collection consist of the hours spent collecting registration information.

This consists of reporting hours shown below:

Annual Burden for Reporting

Number of CRS Manufacturers (Respondents).....	15
Number of CRS Produced Each Year.....	10,600,000
Number of Returned CRS Registrations Each Year*.....	1,569,644
Hours to collect each returned registration	0.025

* By registration card. Internet registrations are considered to have no burden.

Approximately 10,600,000 child restraints are sold each year with an estimated registration rate of 17.72% (1,878,031). Of the total registrations received 83.58% (1,569,644) are from registration cards and 16.42% (308,387) from online registrations. Manufacturers must spend 0.025 hours to enter the information from each returned registration card; while, online registrations are considered to have no burden for the manufacturer, as the information is entered by the purchaser. Given these estimates, the estimated total annual burden hours for this collection of information are 39,247 hours (10,600,000 child restraints X 17.72% X 83.58% X 0.025 per registration card).

Assuming an average cost of \$20.00 per hour for professional/clerical personnel to prepare, collect and keep record of each CRS registration, the total cost is estimated by multiplying 39,247 hours by \$20.00 an hour which equals \$784,940.

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

The cost to the respondents is approximately \$784,940 per year. This estimate is based on a \$20 per hour cost times 39,247 annual burden hours (computed in response to question 12). (Mailing 1,500 forms x \$0.47 per form for postage = \$705.00

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

The estimated cost to the Federal government associated with processing the form, and covering expenses are (Processing 1,500 forms, 2 minutes per form at \$20 per hour) = \$990.00

Explain reasons for any program changes or adjustments.

The burden reduction is due to the elimination of the production of the registration cards and labels, as well, as the creation and maintenance of records in the burden calculation. In the previous statement, NHTSA estimated that there would be 15 respondents per year requiring 265,500 yearly burden hours to (1) produce the registration cards and labels, (2) collect registration information and (3) create and keep records to comply with the requirements of the information collection. We believe that the manufacturing costs for the production of the registration cards and labels should not be part of the burden estimation. Also, we

believe that by collecting the registration card information into a database, the CRS manufacturer would simultaneously be creating the record to comply with the requirements of the information collection. Therefore, in this information collection, we estimate there will be 15 respondents per year requiring 39,247 yearly burden hours to collect registration information to comply with the requirements of the information collection.

15. For collections of information whose results are planned to be published, outline plans for tabulation, and publication.

The collected data on the label, card, postage, attachment, and record keeping requirements will not be published for statistical use.

16. 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.

17. Explain each exception to the certification statement .

No exception is made to any of the items in the certification statement.