

**DEPARTMENT OF TRANSPORTATION**

**INFORMATION COLLECTION**  
**SUPPORTING STATEMENT**

**Occupant Protection Incentive Grant - Section 405**  
**OMB Control Number 2127-0600**

**INTRODUCTION**

The request to obtain an approval on the collection of information for grant programs under 23 U.S.C. § 405, which bears OMB Control Number 2127-0600.

**JUSTIFICATION**

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

The Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, amended the requirements of a previously authorized grant program designed to help States boost the usage of seat belts and child passenger restraint devices. Under the statute, the program identifies six criteria, at least four of which a State must demonstrate that it meets in order to qualify for a grant. Three of the criteria are based solely on the State's enactment of safety belt and child passenger protection laws that contain certain elements. Two of the criteria are based on the State's implementation of, or plan to implement, certain statewide programmatic initiatives. The sixth criterion is based on the penalties the State imposes for violations of its safety belt and child passenger protection laws. For each of the criteria, the State is required to provide documentation showing that it meets the requirements. This information can include copies of laws, implementation plans, and/or other State records demonstrating compliance.

Most of the information that a State is required to submit is already generated and easily accessible. Specifically, copies of statutes are readily attainable, and plans and reports on Statewide enforcement and educational programs are routinely kept on file by the State. Only where a State might submit court records to show compliance would an additional data collection be required. Even then, the applicable data are almost always in accessible files, either in a centralized repository or at individual courts. We note that this information is only applicable to one criterion and other means of compliance with the criterion are acceptable (i.e., submission of State laws). The information is necessary to ensure that the statutory requirements for receiving a grant are met.

For these programs, the agency also requests that a grantee provide information on how it intends to expend funds and how funds were expended each fiscal year. The State initially submits this information as part of the Program Cost Summary document (identified as the HS-217 form), a form with existing PRA clearance (OMB Control Number 2127-0003), within 30 days of the award notification and then periodically updates the information as new activities under the grants are initiated.

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

The information is used to determine the State's eligibility for Section 405 Occupant Protection Incentive Grant funds, and specifically that the State complies with at least four of the six criteria. Once a State qualifies for a grant, its application for successor grants in subsequent years need not include re-submission of its safety belt use and child passenger protection laws, unless the relevant elements of those statutes have been modified; instead, the State may simply include a statement certifying that the statutes previously submitted remain in effect. If the information is not collected, the agency would not be able to determine whether the State met the statutory bases for receiving a grant. In subsequent years, without the information, it would make it impossible to determine whether the State should continue receiving a grant. Separately, the Program Cost Summary is necessary to track the use of grants funds and to ensure that they are used for occupant protection programs in accordance with the statute.

3. Describe whether, and to what extent, the collection of information is automated.

As previously indicated, most of the information required consists of routinely filed documents, such as sections of the State's vehicle and traffic codes and program plans and reports. Although the State is required to submit an application to the agency that contains the required information, this application may be submitted electronically via e-mail.

The program cost summary information is submitted electronically through the agency's grants tracking system.

4. Describe efforts to identify duplication.

Because this information is unique, and has little value to others not associated with the managing and tracking of Federal grant funds for traffic safety purposes, there is virtually no possibility that this data is being collected through another source. For all grant programs administered by the agency, the information is collected through its grant tracking system and States are not required to make duplicate entries.

5. Describe efforts to minimize burden on small businesses.

This item does not apply. States are the only eligible recipients for these grant programs.

6. Describe the impact if the collection of information is not collected or collected less frequently.

If the information were collected less frequently than annually, it would not be possible to determine in a given year if a State complies with the criteria. It also would not be possible to responsibly track grant funds each fiscal year.

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

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.

The agency published a 60-day Federal Register notice on March 30, 2011 (76 FR 17746) soliciting comments on the extension of the collection of information under 2127-0600. NHTSA received no comments.

The agency published a 30-day Federal Register notice on June 22, 2012 (77 FR 37739).

Given that this is not a new collection, States are very familiar with the process of submitting a grant application under the program in order to receive an award and using the Program Cost Summary to identify and track uses of Federal grant funds. The agency does not expect to receive any comments on this collection of information.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This item is not applicable. No payments or gifts are provided to the respondents.

10. Describe any assurance of confidentiality provided to respondents.

This item is not applicable. The information is collected from public documents, records and other sources and is not subject to confidentiality.

11. Provide additional justification for any collection of sensitive information.

This item is not applicable. There is no personal information collected.

12. Provide estimate of burden hours for collection of information requested.

(1) *Estimated number of respondents*.....

- 56 (fifty States, District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

(2) *Estimated hours per respondent*.....31

(3) *Estimated annual burden hours*.....1736

NHTSA estimates that it will take each respondent an average of 31 hours to prepare and submit the grant application and provide and update the Program Cost Summary document for a total of 1736 hours (31 hours x 56 respondents).

Based on an estimated cost of \$50 per hour employee cost, the response to the grant program is estimated to cost each respondent \$1,550. If every jurisdiction under this program were to apply, the total cost on all respondents would be \$86,800. As a result, these estimates present the highest possible burden hours and amounts possible. All States do not apply for and receive a grant each year under the program.

13. Provide estimate of the total annual costs burden.

Not applicable. There are no capital, start-up or annual operation and maintenance costs involved with the collection of information.

14. Provide estimate of annualized costs to the Federal Government.

The estimated annualized costs to the Federal Government are based on the amount of time spent on review by 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 four hours per respondent applies, and the total cost, if every State applies for each grant program, would be \$11,200.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14.

The program changes are a result of this ICR being reinstated, there's an additional 1,726 hours added to NHTSA's overall total.

16. For collections of information whose results will be published, outline plans for tabulation, and publication.

This item is not applicable. There are no plans to publish this information.

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.