

SUPPORTING STATEMENT
FOR
STATE OBSERVATIONAL SURVEYS OF SEAT BELT USE

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 collection of information.**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (P.L. 109-59) provides that the Secretary of Transportation may not approve for Section 402 funding a State highway safety program which does not provide satisfactory assurances that the State will implement an annual statewide seat belt use survey in accordance with criteria established by the Secretary to ensure that the measurements of seat belt use are accurate and representative. In addition, in 2008, the National Highway Traffic Safety Administration (NHTSA) and the Governors Highway Safety Association (GHSA) partnered to develop a voluntary minimum set of performance measures to be used by States and federal agencies in the development and implementation of behavioral highway safety plans and programs. Included in the set is the core behavior measure is B-1, observed seat belt use for passenger vehicles, front seat outboard occupants. Since the original adoption of seat belt observational survey Uniform Criteria in 1998, NHTSA and the States have accumulated substantial experience in the design and implementation of these surveys. This experience has provided insight into factors that could affect survey accuracy and reliability. In addition, technological improvements in road inventories have made it possible to select observation sites in a more cost effective manner. For these reasons, NHTSA proposed to revise the Uniform Criteria so that future surveys will give States more accurate data to guide their occupant protection programs. This project supports the Department's Strategic goal of safety.

2. Indicate how, by whom, and for what purpose the information is to be used. Indicate actual use of information received from the current collection.

The States themselves use the information collected in their seat belt use surveys to evaluate the effectiveness of their occupant protection countermeasures programs and to identify relatively low seat belt use areas and sub-populations requiring increased program emphasis. NHTSA uses the collected information, pooled across the States, to determine the relative impact of various countermeasures and program strategies and to provide guidance to assist the States in achieving the highest possible seat belt use. NHTSA also uses the collected information from individual States to identify those whose occupant protection programs would most benefit from special management reviews, countermeasure demonstration projects and other forms of technical assistance.

The information collected for the States' seat belt observational surveys is to include a specification of the survey design, to be reassessed and, if appropriate, updated every five (5) years, or earlier if the State so desires. The survey design specification will include a description of the methodology used to select the survey observation sites, the selection probability of each site, the survey observation procedures and protocols, observer training and quality control procedures. In addition, each State annually is to submit the survey results, including, for each observation site, the number of front seat outboard occupants that were observed, the number observed to be wearing the seat belt, and the site weighting factor used to combine the individual site data into the measure of statewide seat belt use. NHTSA uses the design specification information to verify that the State's surveys are adequately representative of the current inventories of roadways and in compliance with specified procedures and safeguards of accuracy and statistical precision and reliability. NHTSA uses the survey results information to validate States' computations of their seat belt use rates.

3. Describe whether, and to what extent, the collection of information involves the use of technological collection techniques or other forms of information technology.

The Seat Belt Observational Survey Data are collected by direct observation of passenger motor vehicles on public roadways by trained human observers. Electronic or other technological recording devices typically are used to capture the observations of driver and front seat outboard passenger seat belt use, but paper-and-pencil recording of the observations is permissible. Statistical analysis of the observation data is accomplished via digital computers. States submit survey design information and the required outcome-related information to NHTSA either electronically or in hard copy, in the form of technical reports.

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

The information of interest, i.e., State-by-State reliable estimates of the percentages of passenger motor vehicle drivers and front seat outboard passengers who use seat belts, can only be obtained via direct observation of vehicles on roadways. This information collection does not duplicate any other, nor are there any alternate sources of the information.

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

This item does not apply. States and territories are the only affected entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Promotion of seat belt use by passenger motor vehicle occupants remains an essential component of the national traffic safety program. Of the more than 33,200 people who died in crashes in the 50 States, DC and Puerto Rico in 2010, just under one-third were unrestrained drivers or passengers. Without reliable and timely estimates of seat belt use rates NHTSA cannot adequately evaluate its efforts to promote belt compliance nor identify States whose programs would most benefit from technical and management assistance.

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

No special circumstances require the collection of information to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. Provide a copy and identify the date and page number of the publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to these comments. Describe efforts to consult with persons outside the agency to obtain their views.

Pursuant to 5 CFR 1320.8(d)(3), the agency provided notice and comment through the notice of proposed rulemaking. See 75 FR 4509 (Jan. 28, 2010). The closing date for comments was March 29, 2010. . Generally, the comments received from the public on the proposed rule were a misunderstanding of the technical aspects of the rule. In the preamble to the final rule published on April 1, 2011, the agency explained how the collection of information contained in the final rule responded to any comments received from the public (76 FR 18042). The agency also included an identification and explanation of any modifications made in the rule and why it certain comments were not adopted.

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

No payment or gifts will be offered to the respondents.

10. Describe any assurance of confidentiality provided to respondents.

No assurance of confidentiality is provided to respondents. The information submitted includes no identifiers of specific persons, nor are any identifiers included in the seat belt use survey data collection.

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

The data collection and information submission will not contain any questions related to matters that are commonly considered sensitive or private. The observational surveys do not include questioning of any persons.

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

The agency estimates that the collection of the required seat belt observational survey data and supportive information would require an average of 340 hours to complete. Of that, an average of 300 hours would be expended by survey field observation staff and an average of 40 hours by supervisory staff. Given that the maximum number of respondents is 56, this would result in a total burden of 19,040 hours.

The total estimated costs to respondents are based on the following:

- The total hour burden of the collection of information equaling 19,040 hours
- Of that, 16,800 hours will be actual data collection by observers, part-time contractors at \$16.82 / hour: \$282,576.00

- 2,240 hours will be by supervising State and territorial government management personnel , as defined by the Bureau of Labor Statistics Occupational Employment and Wages at \$37.47 / hour: \$83,932.80
- Total cost: \$366,508.80

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Question 12 or 14).

Not applicable. There are no capital, start-up or annual operation and maintenance costs involved in 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 staff in the National Center for Statistics and Analysis. The agency estimates that at an average of \$40 / hour and an average level of 10 hours per respondent, the total cost would be \$22,400 if, as expected, every State and territory responds.

15. Explain the reasons for any program changes or adjustments reported on Items 13 or 14 of the OMB Form 83-1.

This is a reinstatement of IC 2127-0597. The reinstatement creates a program change that adds 19040 burden hours to NHTSA's overall burden total. The burden hours derive from the average annual review hours of each of the 56 expected seat belt survey reports submitted by the 50 States, 4 territories, the District of Columbia and Puerto Rico.

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

After NHTSA has reviewed each State's reported seat belt use rate for the given calendar year, NHTSA will prepare a State-by-State tabulation of all seat belt use rates confirmed to have been obtained from a survey compliant with the Uniform National Criteria for Seat Belt Observational Surveys. The tabulation will be posted on the NHTSA website. NHTSA expects that the annual tabulation will be posted on or before April 1 of the next calendar year.

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 , "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-1.

No exceptions to the certification statement are made.