

DEPARTMENT OF TRANSPORTATION

INFORMATION COLLECTION SUPPORTING STATEMENT

Uniform Procedures for State Highway Safety Grant Programs **OMB Control Number 2127-0687**

INTRODUCTION

The request is for public comment on proposed collection of information for State grants under Chapter 4 of Title 23, U.S.C., covering Highway Safety Program Grants and National Priority Safety Program Grants.

JUSTIFICATION

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

MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141), authorizes the National Highway Traffic Safety Administration to issue highway safety grants to States under Chapter 4 of Title 23, U.S.C for fiscal years (FY) 2013-14. These Chapter 4 grant programs are identified as the Highway Safety Program Grants under 23 U.S.C. § 402 and the National Priority Safety Program Grants under 23 U.S.C. § 405.

Consistent with the statute, the agency published an interim final rule that created an application process for States to apply for these grant funds. Specifically, the statute directs States to submit a Highway Safety Plan (HSP) that serves as a single, consolidated application for the grants. The interim final rule was published on January 23, 2013, at 78 FR 4986. The information collected as part of the required HSP includes information on the highway safety planning process, performance plan, highway safety strategies and projects, performance report, program cost summary (subject to a separate information collection under OMB Control Number 2127-0003), certifications and assurances, and an application for Section 405 grants. In general, a State is required to submit information to the agency that supports its qualifications for receiving grant funds. This information could include data, plans, legislation and other evidence that the State is implementing (or has plans to implement) a strategic and evidence-based traffic safety program.

The individual grant programs that have been consolidated into the required single application that includes the following:

a. Highway Safety Program Grants (Section 402):

The purpose of this program is to fund a State highway safety program, approved by the Secretary, which is designed to reduce traffic accidents and the resulting deaths, injuries, and property damage. Funding can also be used to develop and implement manpower training programs. Under MAP-21, for fiscal year 2014, States are required to submit an

HSP with performance measures and targets as a condition of approval of the State's highway safety program. The strategies for programming funds, data supporting those strategies, and a report on the degree of success in meeting the performance measure targets must also be included.

To qualify for grant funding under the Section 402, a State's HSP must include the following: (1) a description of its highway safety planning process that includes the data sources and processes used by the State to identify its highway safety problems; (2) a performance plan that contains quantifiable and measurable highway safety performance targets that are data-driven, including performance measures which are used as a basis for the development of the performance targets; (3) a description of highway safety strategies and projects, describing how the State plans to implement the projects to reach the performance targets identified; (4) a performance report that describes the State's success in meeting State performance targets; (5) program cost summary information (OMB Control Number 2127-0003); and (6) certifications and assurances document signed by the Governor's Representative for Highway Safety, indicating that the State will comply with applicable laws and regulations.

The State's HSP also will include information on its Teen Traffic Safety Program if the State wishes to use grant funds for that purpose and an application for the National Priority Safety Program Grants under Section 405, as described below.

b. National Priority Safety Program Grants (Section 405):

The National Priority Safety Program Grants section of MAP-21 consolidates six previously separate grant programs that were available to help States address national priorities for reducing highway deaths and injuries. Specifically, these consolidated grant programs include the following: (1) Occupant Protection Grants; (2) State Traffic Safety Information System Improvements Grants; (3) Impaired Driving Countermeasures Grants; (4) Distracted Driving Grants; (5) Motorcyclist Safety Grants; and (6) State Graduated Driver Licensing Grant.

- i. Occupant Protection Grants: The purpose of this program is to encourage States to adopt and implement occupant protection laws and programs to reduce highway deaths and injuries from individuals riding unrestrained in motor vehicles.

A State may qualify for a grant under one of two categories as either a (1) high seat belt use rate State – a State that has an observed seat belt use rate of 90 percent or higher or (2) lower seat belt use rate – a State has an observed seat belt use rate below 90 percent. Depending on the seat belt use rates, States will be required to submit additional information indicating compliance with certain statutorily-specified programmatic requirements. State seat belt use rates will be based on the most recent data from a survey design approved under 23 CFR Part 1340 (OMB Control Number 2127-0597).

- ii. State Traffic Safety Information System Improvements Grants: The purpose of this program is to support State efforts to improve the data systems needed to help identify priorities for Federal, State and local highway and traffic safety programs, to link intra-State data systems, and to improve the compatibility and interoperability of these data systems with national data systems and the data systems of other States for highway safety purposes, such as enhancing the ability to analyze national trends in crash occurrences, rates, outcomes and circumstances.

A State may qualify for a grant under this program if it demonstrates it has the following: (1) a functioning traffic records coordinating committee (TRCC) that meets at least three times a year; (2) a traffic records strategic plan that has been approved by the TRCC and describes quantifiable and measurable improvements to its safety databases; (3) a valid and unequivocal method of demonstrating quantitative improvement in the data attributes of accuracy, completeness, timeliness, uniformity, accessibility, and integration in a core database by showing an improved consistency within the State's record system; and (4) an assessment of the State's highway safety data and traffic records system that was conducted or updated during the preceding five years.

- iii. Impaired Driving Countermeasures Grants: The purpose of this program is to support State efforts to reduce the problem of impaired driving. _

A State may qualify for a grant based on the State's average impaired driving fatality rate. Specifically, a State may qualify under one of three categories: (1) Low-range State (based on an average rate of .30 or lower); (2) Mid-range State (based on an average rate higher than .30 and lower than .60); or (3) High-range State (based on an average rate of .60 or higher). A State may also receive grant funding under this program by implementing and enforcing a mandatory ignition interlock law for all individuals convicted of driving under the influence of alcohol or driving while intoxicated.

- iv. Distracted Driving Grants: The purpose of this program is to encourage States to enact and enforce distracted driving legislation.

States can qualify by enacting and enforcing a law that prohibits drivers from texting while driving. The law must make the violation a primary offense and establish a minimum fine for the first violation and increased fines for repeat violations. States can also qualify by enacting and enforcing a law that prohibits youths (drivers under the age of 18) from using cell phones while driving. The law must make the violation a primary offense, establish a minimum fine for the first violation, increased fines for repeat violations, and require distracted driving issues to be tested as part of the State's driver license examination.

- v. Motorcyclist Safety Grants: The purpose of this program is to encourage the implementation of effective programs to reduce the number of single- and multi-vehicle crashes involving motorcyclists.

A State may qualify for a grant by meeting two of the six following criteria: (1) conducting a state-wide motorcycle rider training course; (2) conducting a state-wide program to enhance motorists' awareness of the presence of motorcycles; (3) achieving a reduction of fatalities and crashes involving motorcycles from a prior year; (4) conducting a statewide program to reduce impaired motorcycle operation; (5) achieving a reduction of fatalities and accidents involving impaired motorcyclists from a prior year; and (6) using all fees collected from motorcyclists for the purpose of funding motorcycle training and safety programs.

- vi. State Graduated Driver Licensing Grant: The purpose of this program is to encourage States to develop and implement a graduated driver's licensing system in law that consists of a multi-staged process for issuing driver's licenses to young, novice drivers.

A State may qualify for a grant by having a graduated driver's licensing law that creates a multi-stage process including a learner's permit stage that remains in effect until the driver reaches age 16 and an intermediate stage that remains in effect until the driver reaches age 18. MAP-21 sets statutory conditions that must be met by a driver at each stage. In addition, the State must submit a process that is used to distinguish a license at each permit stage.

Due to the consolidation of the agency's grant programs under MAP-21, several prior PRA clearances that covered individual grant programs created under prior authorizations have been discontinued or withdrawn. Specifically, OMB Control Numbers 2127-0650 (Motorcyclist Safety Grant Program) and 2127-0653 (Racial Profiling, State Traffic Data, and Child Booster Seat Grant Program) have been discontinued; and renewal clearances for OMB Control Number 2127-0501 (Certification Requirements for State Grants for Drunk Driving Prevention Programs) and 2127-0600 (23 Part 1345 Occupant Protection Incentive Grant Section 405) have been withdrawn.

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, a Highway Safety Plan which includes the required information to qualify for each grant program (as stated above). For Section 402, the primary focus of the required information would be to identify traffic safety projects with performance targets and measures to determine whether progress is made towards those targets. For Section 405, the State would identify the grant criteria under which it seeks to qualify and submit the information necessary to meet the minimum qualification requirements. NHTSA would use the information provided to determine the State's eligibility to receive grant funds under the program and as a monitoring basis to determine whether progress has been made in achieving the outcomes identified in the projects.

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

The collection of information consists of an application process. Although the application itself is submitted to NHTSA electronically, no other parts of the process are automated. In the future, we may consider automating certain parts of the application process.

4. Describe efforts to identify duplication.

Because the information is unique to the requirements directed in Federal statute and the implementing regulation, there is virtually no possibility that this data is being collected through another source in the manner requested in the interim final rule that would allow a grant determination to be made.

5. Describe efforts to minimize burden on small businesses.

This item does not apply. State governments 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.

This collection of information occurs annually. Without the collection of information or a collection that occurs on a less frequent basis, the agency would not be made to make grant determinations in a timely fashion. The State's affirmative presentation of its qualifications through the application process greatly expedites the time necessary to make grant determinations. This approach allows the agency to meet the deadlines required under MAP-21.

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.

The agency published a 60-day Notice Requesting Public Comment on Proposed Collections of Information within the interim final rule of the Uniform Procedures for State Highway Safety Grant Programs on January 23, 2013 (78 FR 4986), soliciting public comments on the collection of information.

The comment period expired on March 24, 2013. The agency received one comment from the Montana Department of Transportation referencing the paperwork reduction act. After careful review, we interpret this comment as concerning the substantive application requirements of the agency's interim final rule under MAP-21, rather than any specific

issue with paperwork reduction act compliance. The comment will be addressed when the agency issues its final rule.

The agency published a 30-day notice announcing that the Information Collection Request (ICR) was forwarded to OMB for review and comment on August 29, 2013 (78 FR 53497). The comment period expires on September 30, 2013.

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 or sensitive information collected.

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

(1) *Estimated number of respondents*.....
-57 (fifty States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, and the Secretary of the Interior) for Highway Safety Program Grants under Section 402.

-56 (fifty States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) for Occupant Protection Grants; State Traffic Safety Information System Improvements Grants; Impaired Driving Countermeasures Grants; Distracted Driving Grants; and State Graduated Driver Licensing Grant for National Priority Safety Program Grants under Section 405.

-52 (fifty States, the District of Columbia, and Puerto Rico) for Motorcyclist Safety Grants for the National Priority Safety Program Grants under Section 405.

(2) *Estimated hours per respondent*.....420

(3) *Estimated annual burden hours*.....23,940

We estimate that it will take each respondent approximately 240 hours to collect, review, and submit the reporting information to NHTSA for the Section 402 program. We further estimate that it will take each respondent approximately 180 hours to collect, review, and submit the reporting information to NHTSA for the Section 405 program.

Assuming the average salary of the individuals preparing the Highway Safety Plan is \$50.00 per hour, the estimated cost for each respondent to respond to all grant programs is \$21,000. If all eligible States applied for and receive grants for all programs, the total cost on all respondents would be \$1,197,000.

These estimates present the highest possible burden hours and amounts possible. All States do not apply for and receive a grant each year under each of these programs.

13. Provide estimate of the total annual cost burden.

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 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 each grant program, would be \$222,500.

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

The increased burden hours for respondents in Item 13 and the increased annualized costs to the Federal Government in Item 14 are the result of including the application submission and review process that applies to Section 402 grants. The initial supporting statement for the information collection did not include the information because the agency was not requiring the submission of these parts of the Highway Safety Plan at that time. The approach is consistent with the information provided to the public in the interim final rule published on January 23, 2013.

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

NHTSA plans to post all Highway Safety Plans on its website.

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.

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