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## Supporting Statement

### **A. Justification**

The National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation (USDOT) is seeking approval from the Office of Management and Budget (OMB) to conduct a qualifying interview with prospective participants in an automated data collection study of compliance with driving restrictions entitled, *Older Driver Compliance with License Restrictions*. This information will be used by NHTSA to qualify participants for study inclusion and facilitate vehicle instrument installation.

#### **A.1. Explain the circumstances that make the collection of information necessary. Identify any Legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

##### ***a. Circumstances making the collection necessary***

###### CONTEXT

NHTSA was established to reduce the number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs.

A 2008 estimate by the Federal Highway Administration reveals that there are more than 208 million licensed drivers in the United States, of whom about 15% are 65 years of age or older.<sup>1</sup> The proportion of older drivers (age 65 and older) is anticipated to grow to more than one in five over the next 20 to 30 years as the population ages and as the current cohort of drivers continues driving longer than previous generations. This growth in the numbers of older drivers fuels concern that functional declines associated with normal aging or disease will lead to increased occurrence of crashes and resultant injuries and deaths. At the same time, modern society, especially in the United States, is heavily dependent on automobile travel, so that the inability to drive poses its own risks to health and quality of life. In this context, a consensus has developed that mobility preservation, *when safely possible*, is important both to the affected individuals and to the greater population, and is a desirable goal for licensing agencies.

Older adults whose driving skills are declining may lose confidence driving under some conditions (e.g., in heavy traffic or on the highway) and consequently limit their driving to situations where they feel competent. Friends or family members may notice the person making risky errors and voice those concerns to the driver, to the driver's health care provider, or to the state licensing agency. Health care providers may recognize that a medical condition increases the driver's crash risk, or a police officer

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<sup>1</sup> <http://www.fhwa.dot.gov/policyinformation/statistics/2008/dl22.cfm>

might raise a concern on observing the person drive too slowly for conditions, fail to yield right of way, or make other driving errors.

If the state licensing agency receives a report from a health care provider, law enforcement officer or other member of the public that an older driver may be unsafe, the licensing agency may require that the driver complete a driving evaluation, often using the same criteria that they use to evaluate a new driver. Alternatively, the licensing agency may require that the driver be evaluated by a driving rehabilitation specialist (DRS), who has training and certification to provide a more in-depth evaluation that may include measures of strength and flexibility, vision, and cognition, as well as on-road driving performance. The DRS would make a recommendation to the licensing agency based on the evaluation. Recommendations range from continuing full licensure, to driving only under restricted conditions tailored to the strengths and weaknesses the driver demonstrated during the evaluation, to revocation if the DRS considers the driver unsafe under most driving conditions.

A driver may also choose, either independently or upon consultation with a health care provider, to seek an evaluation by a DRS. In this case, the DRS would file a report with the licensing agency only if the DRS finds that the driver's license should be restricted or revoked.

License restriction policies provide driver licensing agencies a means to preserve licensure when key functional abilities are compromised. A common license restriction requires individuals with reduced visual acuity to wear corrective lenses. Others may limit drivers to vehicles with automatic transmissions, or cars equipped with assistive devices such as hand controls or pedal extensions.

Where vision-related restrictions most often permit driving after correcting vision to an acceptable level, and assistive device restrictions require an alternate control interface for the driver, licensing agencies addressing age-related functional decline may base restrictions on behavioral changes intended to mitigate risk through altering exposure. The restricted driver may be required to limit driving, for examples, to lower speed roadways, specific periods of time, or during daylight hours only, and sometimes to specified destinations such as the grocery store or pharmacy, in an attempt to match the demands of the driving task to the driver's capacity to drive safely. The present study focuses on license restriction types which limit driving locations or conditions.

Evaluating drivers and imposing restrictions can only reduce risk if drivers comply with the restrictions, and if the restrictions require changes in drivers' habits. If drivers tend to adopt, on their own, the changes the restrictions impose, then restrictions will result in no change in exposure, therefore will not reduce crashes. Driver compliance with imposed restrictions or with DRS-recommended restriction has been resistant to measurement. States regulators have noted that they are unable to assess compliance. Citations by law enforcement for violation of restriction, a common means of measuring behavior, are rare among the typically low citation issuance rate associated with older

drivers. Without estimates of exposure and compliance, crash and citation data provide little insight on which to base safety programs.

The aim of this study is to identify the level of driver compliance with the terms of restriction; and those safety or personal mobility outcomes associated with license restriction. The proposed interviews (and the subject of this review) with prospective study participants are intended to qualify them for inclusion in the study and facilitate the installation of automated data collection systems in their cars.

State licensing representatives and law enforcement officers have indicated that they are unaware of measures that gauge the compliance of drivers with imposed driving restrictions, or the influence driving restrictions have on driver mobility. Furthermore, no accurate measure exists of how much restricted drivers *actually drive*. Only direct measurement of restricted driver behavior will provide the needed insight.

The purpose of this research effort is to measure drivers' compliance with state-imposed and with DRS-recommended restrictions by installing instruments in the vehicles of *qualified* drivers. The instruments will collect data on the driving behavior of those participants over the course of one month.

The data will be analyzed to answer the following research questions:

1. Do drivers comply with state-imposed behavioral driving restrictions?
2. Do drivers comply with DRS-recommended behavioral driving restrictions?
3. Does driving exposure among those with state-imposed restrictions, and with DRS-recommended restrictions differ from that of age-matched, unrestricted drivers?

The findings will be useful to states in deciding whether potential risk reductions associated with license restriction policies justify the resources required to maintain such policies.

The data collection proposed, and the subject of this review, is essential to qualify the subjects of this study by classifying their license restriction status, their availability to participate, and their access to a vehicle to instrument with data collection equipment to accomplish the objectives of the greater research effort.

### **SPECIFIC DATA COLLECTION PROPOSED – Screening Questions to Determine Eligibility for Study Participation**

Because the purpose of the study is to measure the driving behavior of licensed operators 70 years of age and older with restrictions imposed by the licensing authority and licensed operators of the same age cohort for whom self-restriction was recommended by Driver Rehabilitation Specialists, we plan to ask pointed questions designed to ascertain the age, restriction status, and usage of each individual responding

to a solicitation. Furthermore, because each participating driver must permit installation of the data collection system in a vehicle, we propose asking a question designed to ascertain the availability of a driver owned or controlled vehicle as well.

Drivers who are not members of the age cohort, or those without recommended or imposed restrictions, or those who do not drive minimally must not be included within either subject population, and only those without recommended or imposed restrictions may be included in the control population. In any of those circumstances, only drivers with apparent authority to permit installation of the data collection system may participate in the study.

Lastly, among the qualifying questions we propose, is a question designed to **exclude** drivers from study who have received a diagnosis of dementia. While it is highly probable that some among the general driver population aged 70 and older suffer dementia to some degree, we have excluded drivers with that diagnosis from the study for ethical reasons.

We propose to ask the eight following questions of each respondent to the solicitation:

1. Do you own or have possession and use of a car? (Qualifying)
2. Are you licensed to drive in Virginia? (Qualifying)
3. What is your driver license expiration date; is your license revoked or suspended? (Qualifying)
4. What is your date of Birth? (Qualifying)
5. What license restrictions are listed on the reverse side of your driver license? (Qualifying)
6. About how many times per typical week do you start your car to drive? (Qualifying)
7. Have you ever received a diagnosis of dementia? (Qualifying)
8. Will you be spending the next two or three months in the area? (Qualifying)

Following qualification of respondents to participate in the research effort, and after answering all questions each may have regarding the study, we propose to ask each qualified respondent if he or she wishes to join the study. If yes, we propose to ask several more logistic questions to facilitate scheduling and successful installation of the vehicle instruments. Those specific questions follow:

9. Are you interested in participating in this study?
10. What is the make, model, and year of car? (necessary to plan install)
11. What is your tag number (needed to identify the specific vehicle for install)

Without **qualifying** the research participants and attributing the characteristics acquired through query to each participant, we will not be able to identify and characterize the participant data we anticipate acquiring through vehicle instrumentation. The purpose of the greater research effort will be lost.

***b. Statute authorizing the collection of information***

**Title 23, United States Code, Chapter 4, Section 403**

gives the Secretary authorization to use funds appropriated to carry out this section to conduct research and development activities, including demonstration projects and the collection and analysis of highway and motor vehicle safety data and related information needed to carry out this section, with respect to all aspects of highway and traffic safety systems and conditions relating to - vehicle, highway, driver, passenger, motorcyclist, bicyclist, and pedestrian characteristics; accident causation and investigations; and human behavioral factors and their effect on highway and traffic safety, including distracted driving. [See 23 U.S.C. 403(b)(1)(A)(i), 23 U.S.C. 403(b)(1)(A)(ii), 23 U.S.C. 403(b)(1)(B)(iii)].

**A.2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

This is a new collection of information. Respondent compliance is voluntary.

The data collected in the proposed interview will be used by NHTSA to qualify the subject for inclusion in an automated study of driver compliance with restrictions and the influence of restrictions on driver behavior.

NHTSA intends to recruit potential participants through solicitation letters mailed by the Virginia Department of Motor Vehicles (DMV.) DMV will mail letters to drivers whose license privileges are restricted to roads with lower speed limits, and a second set to drivers without such restrictions for comparison. Concurrently, we intend to recruit a similar count of drivers with restrictions suggested by Driver Rehabilitation Specialists, through those specialists. The purpose of the interview is qualification of those recruits for participation in the study and to facilitate installation of data collection equipment in the cars of those drivers who qualify and elect to participate. Answers to the proposed questions will establish ownership of a car, confirm current non-suspended licensure, date of birth, adequate driving for measurement, absence of any diagnoses of dementia, and availability for participation. For those who qualify, answers will provide information necessary to accomplish installation in the participant's car.

The first subset of eight (8) questions is intended to qualify the prospective study subject for participation. If the respondent to our solicitation does not possess a car in which we can install a monitoring system, we cannot proceed. Similarly, if the respondent is not licensed to drive in Virginia or if that license is expired, or if the driver is not of minimum age, or if the driver does not drive at least five times within a typical week, we cannot accept that individual as a study subject.

It is further necessary to ascertain what sort of driving restrictions the driver may have to assign the driver to one of three proposed groupings for analysis: drivers with

imposed restrictions of interest to the study, drivers who have no imposed restrictions of interest but who have been advised to self-restrict, and drivers without any of the restrictions of interest to this study.

Finally, among the first subset of questions, the interviewer must quiz the potential study subject if he or she has ever been diagnosed with dementia, to exclude those answering yes for obvious ethical reasons.

The information gathered from answers to the first subset of eight questions will be used by the interviewer to classify respondents for inclusion or exclusion from the study and identify which study group those included will join.

The second subset of four (4) questions will only be asked of those individuals qualified for inclusion in the study. The first proposed question will invite the respondent to join the study. If yes, we plan to ask him or her to identify the vehicle by make, model, and year to enable the system installer to prepare for specific vehicles. We will then request the tag (license plate) number to identify the participant's vehicle, and finally inquire about the participant's availability in the near term for (instrumented) data collection.

**A.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 information technology. Also describe any consideration of using information technology to reduce burden.**

To collect this information, NHTSA will call the driver, who has responded to an invitation, by the telephone number provided by the participant. Telephone interview is the least burdensome method to contact participants in this case. No alternative methods are planned to qualify participants.

**A.4. Describe efforts to identify duplication. Show specifically why any similar information, already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information sought by this data collection is not available by any means other than direct inquiry to the participant. The principal source of driver data in Virginia is the Virginia Department of Motor Vehicles (DMV.) DMV records do not contain reliable information regarding vehicle use frequency, diagnoses of dementia, or the participant's availability for participation.

Furthermore, the DMV is barred by law from disclosing identified information it may have regarding vehicle registration model information, date of birth, current license status without an individual release by the driver/participant.



Lastly, the telephone conversation permits the driver to ask any questions he/she may have to satisfy “informed” requirements of informed consent.

NHTSA is aware of no method of acquiring the necessary qualifying information more efficient for the citizen than the single direct telephone conversation proposed in this application.

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

The information collection involves individuals, not small businesses.

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

The population of older drivers is expanding. Driving capability is known to diminish among some older drivers. States, in an effort to preserve mobility as well as safety for aging drivers whose capabilities may have become compromised, have begun imposing additional restrictions on driver licenses in lieu of suspension or revocation. NHTSA is aware of no reliable evidence regarding the safety or effectiveness of such driving restrictions.

NHTSA has a responsibility to develop evidence regarding this expanding practice by the States, and provide advice to the States regarding effectiveness. Barring evidence, NHTSA cannot advise States of the safety and effectiveness of this practice.

Qualification of study participants for inclusion in the instrumented vehicle study of driver behaviors is essential to the development of useful and reliable data for analysis.

**A.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.**

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

**A.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.**

FEDERAL REGISTER NOTICE: A copy of the Federal Register Notice which notified the public of NHTSA's intent to conduct this information collection, and provided a 60-day comment period, was published on April 22, 2013 (Vol. 78, No. 77, Pages 23824-23825). No comments were entered into the NHTSA docket in response to the 60-day Federal Register Notice

A copy of a second Federal Register Notice (Vol. 78, No. 172 Pages 54723 - 54724), which announced that this information collection request will be forwarded to OMB, was published September 5, 2013.

**A.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 respondents for the interview portion of this study. A \$100 gift card will be provided to qualified potential participants who elect to participate in the instrumented vehicle study in order to compensate them for inconvenience related to having instrumentation installed in their vehicles, and then having the instruments removed following a month of data collection.

**A.10. Describe any assurance of confidentiality provided to respondents**

Participants in the instrumented vehicle study are asked to execute an Informed Consent document that promises that no individual results and no personal information will be published and no personal results will be shared with the Virginia DMV or any licensing regulatory authority. All published results will provide only summary statistics that cannot be used to identify any individual or individual responses.

**A.11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private.**

Information regarding any diagnoses of dementia is essential to the ethical inclusion/exclusion of drivers within this study. There is disagreement among driver licensing authorities regarding whether a person should continue to drive following a diagnosis of dementia. Thus, it is appropriate to exclude drivers diagnosed with dementia from the study.

Similarly, the possibility exists that the license status of potential participants may have changed between development of the mailing list and response by the driver to the mailed solicitation to participate. Again, this information is necessary to ethical inclusion/exclusion of drivers.

No questions are asked that are not ethically or logistically required to conduct this study appropriately.

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

Information collection will be conducted by telephone interview of 240 respondents to a mailed solicitation from the Virginia DMV. The telephone interview is expected to last 10 minutes in duration. Total time burden would be:

$$240 \text{ telephone interviews} \times 10 \text{ minutes} = 40 \text{ hours}$$

**A.13. Provide an estimate of the total annual cost to the respondents or record keepers resulting from the collection of information.**

Since respondents will contact researchers in response to letters seeking study participants, the survey will not pose an actual cost to participants (i.e., they will participate during non-salaried hours). However, the time they spend responding to the questions can still be looked at in terms of what it would have cost had participants spent a similar amount of time responding while on the job. We expect that respondents to the mail solicitation from Virginia DMV will span the range of employment categories. Mean hourly wages provided by the Bureau of Labor Statistics for All Occupations ([http://www.bls.gov/oes/current/oes\\_va.htm#00-0000](http://www.bls.gov/oes/current/oes_va.htm#00-0000)) is \$23.82.

$$240 \text{ respondents} \times \$23.82/\text{hr.} \times .167 \text{ hours} = \$955$$

The survey would be administered a single time, and within a single year. Thus the total annual cost to respondents would be a maximum of \$955.

**A.14. Provide estimates of the annualized cost to the Federal Government.**

Data collection costs to the Federal Government are based on the contractor's estimate of level of effort required to qualify respondents for the licensing restriction study. No analysis, report writing or related activities are considered in development of the estimate of approximately \$4,500.00.

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

This is a new information collection. As such, it requires a program change to add the estimated 40 hours for the new information collection to existing burden.

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

Information obtained from the telephone interviews will be used to determine eligibility of prospective subjects to participate in the licensing restriction study, document their licensing status, and facilitate instrumentation of participant vehicles.

**A.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.**

NHTSA will display the expiration date for OMB approval.

**A.18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions” of the OMB Form 83-I.**

No exceptions to the certification are made.