

SUPPORTING STATEMENT  
FOR  
49 CFR PART 543, EXEMPTION FROM VEHICLE  
THEFT PREVENTION STANDARD  
(OMB Clearance Number 2127-0542)

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 the collection of information.

49 U.S.C. Chapter 331 requires the Secretary of Transportation to promulgate a theft prevention standard to provide for the identification of certain motor vehicles and their major replacement parts to impede motor vehicle theft. 49 U.S.C. Section 33106 provides for an exemption to this identification process by petitions from manufacturers who equip covered vehicles with standard original equipment antitheft devices, which the Secretary determines are likely to be as effective in reducing or deterring theft as the identification system. This information collection supports the Department's strategic safety goal.

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

This information will be used by NHTSA in exercising its delegated authority to grant exemptions from the vehicle identification requirements of 49 CFR Part 541. The statute requires, in Section 33106, that these exemptions be granted in whole or in part, based on "substantial evidence." Without this information, no exemption would be available from the parts-marking requirements and manufacturers would be required to identify parts on all vehicle lines designated for identification.

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

49 CFR Part 543 does not impose any obstacles for automobile manufacturers to use technological collection techniques or other forms of information technology for transmission and storage of the information. The manufacturer may use any form of improved information technology it deems necessary that minimizes the burden as long as the required reports are provided. Manufacturers have chosen to submit this information to NHTSA in hard copy form. However, to increase information technology, the agency will encourage manufacturers to continue to submit this information on computer disks (using NHTSA-approved format), by email format or by the internet.

4. Describe efforts to identify duplication

This information is not required by any other law or standard and would not be available without this regulation. This agency is the only agency authorized to grant an exemption from the requirements of the Theft Prevention Standard based on the manufacturer's petition. No similar information is currently available.

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

No small business is required to submit this data. This process is for any manufacturer who wishes to petition for an exemption, under Section 33106, from the application of the identification requirements of the Federal Motor Vehicle Theft Prevention Standard.

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

The submittal of this information is a one-time-only submission and is made at the discretion of the manufacturer. If the manufacturer does not submit a petition for exemption under the procedures contained in 49 CFR Part 543, then it must comply with all requirements of 49 CFR Part 541.

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

The procedures specified for this information collection are fully 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. Describe efforts to consult with persons outside the agency to obtain their views.

The agency requested public comment on the extension of the previously approved collection in the Federal Register (79 FR 15799, March 21, 2014). No public comments were received in response to this request.

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

No gift or payment will be given to any respondent.

10. Describe any assurance of confidentiality provided to respondents.

Part 543 directs petitioners seeking confidential treatment of their submissions to 49 CFR Part 512, which sets forth the procedures for seeking confidentiality.

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

No questions of a sensitive nature are involved in this information collection.

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

The petition for exemption is made by the manufacturer according to whichever line(s) it determines has a standard equipment antitheft device which the manufacturer believes will meet the established minimum capabilities as promulgated in the Theft Prevention Standard. Section 33106 limited such exemptions to two vehicle lines per model year for each manufacturer until MY 1997. Thereafter, only one vehicle line may be exempted per model year.

The agency is unable to provide an accurate count of how many manufacturers will be affected, because the submission of an exemption petition is voluntary. Currently 21 manufacturers have one or more car lines exempted. Approximately 11 manufacturers are expected to apply in a typical year. Disclosure burden for approximately 11 manufacturers, times the number of responses, multiplied by hours per response equals:

Estimated annual petitions for exemption submitted	11
Average hours per submittal	166
Total annual burden	166 hours reporting

Reporting Burden (hours)

Part 543	Exemption from vehicle theft prevention standard	166
	Reporting total for all 11 manufacturers:	1,826
	(11 manufacturers x 166 hours)	

We estimate an annual reporting burden of 166 burden-hours at an estimated cost of \$6,555.00 per manufacturer. \$6,555.00 divided by 166 burden hours equals \$39.49 per hour for those manufacturers who seek an exemption. The cost associated with the burden hours endured by the manufacturers effected is \$72,109 (1,826 x \$39.49).

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

The petitions for exemptions require no additional costs to the respondents.

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

The estimated annualized cost to the Federal Government to review the manufacturer's submission, to analyze the information, and to distribute as appropriate is 300 hours annually at \$48 per hour, for a cost of \$14,400.

15. Explain reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. (83-I Form is no longer required)

There is an adjustment to total annual burden hours, resulting in an increase from 1808 to 1826 because there were more petitions for exemption from the parts-marking requirements received by the agency for this reporting period than the previous one.

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

This collection of information will not have the result published for statistical use.

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 sought to not display the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19, "Certification for paperwork reduction act submissions," of OMB Form 83-I.

No exceptions to the certification statement are made.