

Tribal Transportation Safety Data Survey Supporting Statement for Information Collection

This Supporting Statement (SS) justifies the need for the information collection for the required Congressional Report. Introduction: Section 1117(b) of the recently passed Fixing America's Surface Transportation Act (FAST Act) requires the Secretary, after consultation with the Secretary of Interior, the Secretary of Health and Human Services, the Attorney General, and Indian Tribes, to submit to the Senate Committee on Environment and Public Works; the Senate Committee on Indian Affairs; the House Committee on Transportation and Infrastructure; and, the House Committee on Natural Resources a report describing the quality of transportation safety data collected by States, counties, and Indian Tribes for transportation safety systems and the relevance of that data to improving the collection and sharing of data on crashes on Indian reservations. The report is to be submitted to Congress by December 4, 2016 which is 1 year after the date of enactment of the FAST Act. In order to collect the information required for the report, FHWA will need to conduct a survey and collect data which will provide the information needed to develop the report.

In addition, Section 1117(c) of the FAST Act requires the Secretary, in consultation with the Secretary of Interior, the Attorney General, States, and Indian Tribes to complete a study that identifies and evaluates options for improving safety on public roads on Indian reservations. This report, due by December 4, 2017 to the same Congressional Committees identified above, will also require the collection of information from Tribes and other affected parties.

Because of the limited time available for the collection of information/data and delivery of the reports, an emergency clearance is requested.

Part A. Justification.

1. Circumstances that make collection of information necessary:

The Reports to Congress require the collection of information on available transportation safety data from Tribes, States, and others. The collection from the Tribes will act to fulfill the consultation requirements as set forth in Executive Order 13175. These reports directly support the DOT Strategic Plan's Safety goal as it is expected to lead to improvements in the collection and sharing of crash and other safety data by Tribes, the Bureau of Indian Affairs, and States. In addition, improving the collection and sharing of the information/data and documenting effective options for improving transportation safety will lead to the implementation of more effective safety project and programs in Indian Country.

2. How, by whom, and for what purpose is the information used:

The requested information collection was designed by a multi agency committee that includes representatives from the Department of the Interior, the Department of Health and Human Services, the Department of Transportation, and Tribal Governments as directed in the FAST Act. This Committee (the Tribal Transportation Safety Steering Committee (TTSSC)) is already established and last met on April 5, 2016 to design this information collection.

The collection of the information/data will be conducted by two methods. First, an online survey will be created where Tribes and States will be asked to provide information about safety data collection and sharing. Second, Tribes and States will be provided with the option to schedule a phone interview in lieu of using the online tool. The interview will be conducted by representatives of the TTSSC.

The results of the surveys and interviews will be compiled into a summary for review by the TTSSC previously mentioned and a Report to Congress will be developed based on the information collected. The report will be circulated to all affected FHWA Offices for review and

approval, and ultimately, to the Secretary of Transportation for final approval before being submitted to Congress per the requirements of FAST Act Section 1117(b) and (c).

3. Extent of automated information collection:

FHWA will create an online survey on max.gov as the preferred option for receiving responses. The only alternative to this will be the availability of a phone interview.

4. Efforts to identify duplication:

For the FAST 117b report, a similar effort was conducted in the development of Transportation Research Board's (TRB) National Cooperative Highway Research Program (NCHRP) Report 788 which was published in August 2014. However, after review of the NCHRP Report by the previously described TTSSC, the committee determined that the questions asked and the number of responses received for the NCHRP Report were not adequate to address the statutorily required Reports to Congress.

Also, every 3-5 years the National Highway Traffic Safety Administration (NHTSA) conducts Traffic Records Assessments at the request of State Governments. These assessments do not have enough depth into tribal crash reporting issues to be useful for these new required Reports to Congress. NHTSA has significant representation on the TTSSC.

For the FAST 1117c report, a similar document, the Strategic Highway Safety Plan for Indian Lands, was developed in 2005. That document is now outdated and must undergo significant update to comply with the FAST Act requirement.

5. Efforts to minimize the burden on small businesses:

No small businesses will be impacted by the collection of this information/data.

6. Impact of less frequent collection of information:

This survey will be conducted once. Because of the short time period to complete the first Report to Congress, it is necessary to complete the collection of the information/data by July 2016.

7. Special circumstances:

In order to satisfy the congressional requirement to submit the Section 1117(b) Report to Congress by December 2016, it will be necessary to have the draft report completed and commence the review process among FHWA and OST Offices by the end of August. Hence, the collection of information must begin as soon as possible.

8. Compliance with 5 CFR 1320.8:

No Federal Register notice requesting public comment is expected under the exception provided by 44 USC 3507(j).

9. Payments or gifts to respondents:

No payment or gift will be offered to respondents.

10. Assurance of confidentiality:

The survey will make no claims of confidentiality. Respondents will be instructed to only share information that they are willing to make public.

11. Justification for collection of sensitive information:

The collected information is not expected to be sensitive.

12. Estimate of burden hours for information requested:

The number of respondents is estimated at 722 with an individual burden of no more than one hour each if participating in a phone interview or half an hour each if participating in the online survey.

The total target population consists of 2 employees (transportation safety planner and law enforcement supervisor) at 566 tribes and 36 states (these are the states where federal recognized tribes are located). From these 1204 target individuals we expect a 60% response rate with 80% of those responses received via the online survey and 20% received by phone.

1204 target population X 60% response rate = 722 respondents

722 respondents X 80% online X 0.5 hours = 288.8 hours
(577.6 Respondents X 30 minutes = 288.8 hours)

722 respondents X 20% phone X 1 hour = 144.4 hours
(144.4 Respondents X 1 hour = 144.4 hours)

Total Hours = 433.2

13. Estimate of total annual costs to respondents:

The target audience for this survey consists of law enforcement and transportation safety planners. Hourly wage rates for these individuals can be based on the Department of Labor's Bureau of Labor Statistics' May 2015 National Occupational Employment and Wage Estimates in the United States, as follows:

- First-Line Supervisors of Law Enforcement Workers (33-1010) with a mean hourly wage of \$36.18
- Urban and Regional Planners (19-3051) with a mean hourly wage of \$32.80

The average of these hourly wage rates is \$34.49.

The cost to respondents using the online survey is estimated at \$17.25 per respondent including all wages and resources required to respond to the voluntary information collection. (577.6 respondents x \$17.25 = \$9963.6)

The cost to respondents using the phone interview option is estimated at \$34.49 per respondent including all wages and resources required to respond to the voluntary information collection. (144.4 respondents x \$34.49 = \$4980.35)

Total Costs = \$14943.95

14. Estimate of cost to the Federal government:

It is expected that two GS-13 employees of FHWA will be assigned to this project for approximately 50% of their time during the period of April through August 2016. In addition, minimal printing and office supplies will be required. The estimated total cost for information/data collection, processing, and report writing is less than \$40,000.

15. Explanation of program changes or adjustments:

N/A – This is a new collection.

16. Publication of results of data collection:

The results will be published in a Report to Congress as required by the FAST Act.

17. Approval for not displaying the expiration date of OMB approval:

An OMB approval expiration date can be displayed.

18. Exceptions to certification statement:

FHWA is not asking for an exception to the certification statement.