

Part A: Justification

Summary:

Responding to the National Survey of the Use of Booster Seats (NSUBS) is on a voluntary basis. All potential survey respondents are asked, in accordance with Office of Management and Budget (OMB) requirements, for their voluntary participation in the survey. No individual is required to respond to the survey questions, and any participant can refuse to respond to any singular question without consequence. None of their responses will be publically disclosed and no personally identifying information will be collected. That is, their participation is not required to obtain or retain any benefits. The collection is observing, reporting, and is a survey. The collection will be done every other year. The information that would be recorded, maintained in records, and disclosed is intended to provide the National Highway Traffic Safety Administration (NHTSA) with estimates of child restraint use. It is used by the Agency to design outreach programs to help ensure that more of the nation's children are using restraints that will protect them in motor vehicle crashes. The survey data will allow programs to better reach the caretakers whose children are unrestrained or not using the best restraint choice for their children's sizes. The findings may also be of interest to state legislatures wanting to strengthen their child restraint laws by enacting mandatory or enhanced booster seat use provisions. Information collected would be received by the National Highway Traffic Safety Administration with eventual public reporting of survey results. These files will provide NHTSA with survey data, auxiliary information on state laws, derived analytic variables, and full sample and replicate weights that can be used to create National estimated of child safety restraint use. The survey was previously approved as OMB Control No. 2127-0644 (current expiration Date: 5/31/19). NSUBS was designed to estimate booster seat use among 4- to 7-year-old children. In addition, the survey provides restraint use estimates for all children under 13, race and ethnicity breakouts of restraint use among all occupants in a vehicle, and estimates of the extent to which children are "prematurely transitioned" from one restraint type to others that are inappropriate for their age as well as height and weight. The survey produces bi-annual estimates of:

- Restraint use by Age Group
- Restraint use by Weight Group
- Restraint use by Height Group
- Restraint use by OMB Race/Ethnicity

The current estimates are based upon observations of restraint use for all passenger vehicle occupants included in the survey, and brief interviews with the vehicle drivers or other knowledgeable adults to determine the age,

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height, weight, race, and ethnicity of the child occupants. For the 2019 NSUBS and future iterations of the survey NHTSA would like to ask the adult drivers their age in order to analyze the impact of driver age on driver seat belt use and child restraint use. The addition of this question will not impact the cost to the respondent or the annualized cost to the Federal Government.

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.

NHTSA began conducting the National Survey of the Use of Booster Seats (NSUBS) to respond to Section 14(i) of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act of 2000 (Pub. Law 106-414). That section directed the Department of Transportation to develop a 5 year plan to reduce by 25 percent the deaths and injuries among 4- to 8-year-olds caused by the failure to use a booster seat. In response, NHTSA began the NSUBS in 2006. Conducting the NSUBS provides the Department with invaluable information on who is and is not using booster seats and using them appropriately, helping the Department better direct its outreach programs to ensure that children are protected to the greatest degree possible when they ride in motor vehicles.

Among infants restraints, use stood at 97.4 percent in 2017; children 1 to 3 years of age were restrained at a rate of 95.3 percent¹, and crash-related child fatalities have decreased steadily since 1975.

Unfortunately, similar progress has not been achieved where older child passengers (age 4 to 7 years old) are concerned. Booster seat use -- estimated at only 40.1 percent nationwide in the 2017 NSUBS-- remains unacceptably low. According to NHTSA's Fatality Analysis Reporting System (FARS), in 2016 there were 311 fatalities among booster-aged child

¹ National Survey of the Use of Booster Seats 2017, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812617>

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passengers -- ages 4-7 (down from 377 in 2015). For those children ages 4-7 killed, and for whom restraint use is known, 33 percent were unrestrained².

In the TREAD Act and in Anton's Law (Pub. Law 107-318), NHTSA was directed to conduct a range of initiatives, including rulemaking, compliance testing, and consumer education programs, to enhance the safety of older child passengers.

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.

NHTSA staff will use the information collected by the survey to better design Agency outreach programs to help ensure that more of the nation's children are using restraints that will protect them in motor vehicles crashes. The survey data will allow programs to be better tailored to reach the caretakers whose children are unrestrained or not using the best restraint choice for their children's sizes. The findings may also be of interest to state legislatures that are considering strengthening their child restraint laws by enacting mandatory or enhanced booster seat use provisions. As of July 2017, 49 states, the District of Columbia and Puerto Rico had enacted mandatory provisions.

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

This collection of information does not involve the use of such techniques or of other forms of information technology. NHTSA feels for this bi-annual study the use of simple paper and pencil forms is cost effective, and provides a less formal and more comfortable environment for the interviewed motorists. However, once all the data are collected NHTSA will receive an electronic file containing all the results of the survey. No electronic devices

² Traffic Safety Fact: Children, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812491>

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are used by the data gatherers, but NHTSA will receive 100 percent of the results in an electronic file.

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

There is no duplication of effort in conducting the National Survey of the Use of Booster Seats. No existing survey or other data source provides probability-based observational data on booster seat and other child restraint use accompanied by interview data on child age and size. Such information (i.e. scientifically-based data obtained from observations/interviews of actual children in vehicles) is needed to tailor Agency child restraint programs effectively. NSUBS data are NHTSA's only source of restraint use data by self-reported OMB race and ethnicity categories.

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

The survey involves collecting data at fast food restaurants, gas stations, day care centers, and recreation centers. Potential survey sites will be contacted in advance to see if they would be willing to voluntarily grant permission to have the survey conducted at their establishments. Businesses will be fully informed as to the nature of the survey operations and the amount of time taken for the survey to be conducted at their establishments.

6. Describe the consequences to Federal program or policy activities if the information is not collected or collected less frequently.

If NHTSA does not collect this information, it will not have scientifically-based information from actual motorists on the use of booster seats and other child restraints with which to better target Agency outreach efforts. Outreach programs would be less effective, resulting in more children suffering death or injury in crashes due to nonuse or misuse of child restraints than might

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have suffered this fate had outreach programs been more effective at reaching this at risk population.

Because up-to date data on child restraint use are crucial to implementing effective child passenger outreach programs, NSUBS has been conducted during the following years 2006 - 2009, 2011, 2013, 2015, and 2017. NHTSA anticipates conducting the NSUBS again in 2019.

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

There are no circumstances requiring information to be collected in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. Provide a copy of the FEDERAL REGISTER notice 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.

Docket number DOT-NHTSA-2018-0075 was established as a repository for comments received in response to the Federal Register 60 Day Notice and Request for Comments published on July 23, 2018 at 83 FR 34912. NHTSA received three comments based on the 60 Day Notice and request for comments, only one of which was relevant. Of the other two, one addressed a subject wholly different than that of the information collection, and the other stated that the research is a waste of money but did not provide any support for its statement. The relevant comment was from Consumer Reports, which supported the information collection. None of the three comments required revisions to the NSUBS scope or costs.

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

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No payments or gifts are provided to respondents. However, brochures providing information about child passenger safety are provided to drivers, and stickers are provided to all children sampled in this study.

10. Describe any assurances of confidentiality provided to respondents.

Our data collectors will inform each respondent at the data collection sites that the data will be kept private, used only for statistical purposes, protected to the full extent of the law and only project staff will be able to see the responses. We will assure to each respondent that no personally identifying information will be collected.

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

The survey will not collect such information.

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

NHTSA estimates that the data collection will take approximately 4.25 minutes of the respondent's time. (The respondent in this case is an adult motorist providing information on children in his/her vehicle.) Multiplying the 4.25 minutes of burden per respondent by the estimated 4,800 respondents yields 340 total burden hours for all respondents collectively. Since NSUBS data are collected bi-annually, dividing the 340 total burden hours by two yields an annual burden of 170 hours.

The cost to the respondents for their voluntary hours is looked at in terms of an hourly wage multiplied by the burden hours. According to the Bureau of Labor Statistics Occupational Employment Statistics (OES) program³, the

³ U.S. Department of Labor, Bureau of Labor Statistics, 2017 from https://www.bls.gov/oes/2017/may/oes_nat.htm#00-0000 for May 2017

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national mean hourly wage for all occupations was \$24.34 for the May 2017 survey. Multiplying this hourly wage by the total burden hours of 340 yields \$8,276. This is the estimated cost to the respondents.

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

It costs the respondents nothing to participate in the survey. There are no record keepers for this survey.

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

This survey is estimated to cost \$954,000. This estimate reflects the total survey cost, including the costs to design the survey, conduct the survey, and analyze the results.

15. Explain the reasons for any changes or adjustments reported in Item 13 or 14 of the OMB Form 83-1.

There is a revision of an increase of 20 burden hours because for the 2019 NSUBS and future iterations of the survey, NHTSA will ask the adult drivers their age in order to analyze the impact of driver age on driver seat belt use and child restraint use. In previous years driver age was estimated based on observation.

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

NHTSA will tabulate the survey data, analyze the results, and publish the data in a series of annual technical reports. The NSUBS data are to be collected bi-annually in July. The results will be analyzed and presented via publications released in approximately January of the following year. These publications can be obtained by anyone at the following location:

<https://crashstats.nhtsa.dot.gov>

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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 intends to display the expiration date for OMB approval and the PRA burden statement.

18. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-1.

No exception is made to any of the items in the certification statement.