

**Supporting Statement for Paperwork Reduction Act Submission
3090-0118 –Standard Form 94, Statement of Witness**

A. Justification

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

Standard Form (SF) 94 provides additional accounts of motor vehicle accidents that supplement statements made by a motor vehicle operator. Use of the SF 94 is prescribed in Federal Management Regulation, 41 CFR 102-34.290(b) and Federal Property Management Regulations, 41 CFR 101-39.401(b).

2. Indicate how, by whom, and for what purpose the information is to be used.

The SF 94 is usually completed at the time of an accident involving a motor vehicle owned or leased by the Government. Individuals, other than the vehicle operator, who witness an accident complete the form voluntarily.

The SF 94 is an essential part of the investigation of motor vehicle accidents, especially those involving the public with a potential for claims against the United States. It is a vital piece of information in lawsuits and provides the Assistant United States Attorneys with a written statement to refresh recollection of accidents, as necessary.

3. Describe whether, and to what extent, the collection of information involves the use of information technology.

The burden in completing the form is minimal (approximately 20 minutes). Technology improvements in completing the form are not a consideration, since the form is usually completed at the accident scene providing a brief hand written synopsis of the occurrence.

4. Describe efforts to identify duplication.

The Federal Fleet Policy Council (FEDFLEET), an interagency committee of national level agency fleet managers confirms the need and use of this form. Each agency would have to develop its own form if the SF 94 was eliminated.

5. If the collection of information impacts small businesses or other small entities (item 5), describe any methods used to minimize burden.

This form does not involve small businesses or other small entities. Employees of these entities may complete the form if they were involved in an accident with a motor vehicle owned or leased by the Government.

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.

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Collection of this information is concurrent with a motor vehicle accident involving a vehicle under the control of the Federal Government. Completion of the SF 94 is essential for the defense of lawsuits against the United States, as stated in 2 above. Failure to complete the SF 94 may result in judgment against the United States in these claims. Only the number of accidents occurring regulates frequency of information collection.

7. Explain any special circumstances.

There are no special circumstances when collection of this information would be inconsistent with 5 CFR 1320.5.

8. Describe efforts to consult with persons outside the agency.

A 60-day notice was published in the *Federal Register* at 85 FR 34631 on June 5, 2020. No comments were received. A 30-day notice published in the *Federal Register* at 85 FR 48539 on August 11, 2020.

Federal agencies were canvassed for information regarding the use and possible cancellation of the form. Federal agencies contacted felt that the cancellation of SF 94 would not be cost effective, and an additional means of reporting this information would have to be developed. These agencies also believed the form to be appropriate for the use intended and that the frequency of the form to be sufficient.

No information from State or local governments is required in this information collection process.

The public was not contacted since there is no cost-effective way of establishing a target group. The burden of creating a system (questionnaire or survey) for the public to respond would be more burdensome than the use of the current form.

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

There are no payments or gifts to respondents in connection with the completion of this form.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The information collected on SF 94 is not subject to the Privacy Act of 1974 because the information is not retrieved by a unique identifier assigned to an individual. For example, information is retrieved by the vehicle identification number (VIN).

Date of accident and accident costs are accumulated by GSA for motor vehicles within the GSA Fleet. Records and all Information relating to motor vehicle accidents, including SF 91, Motor Vehicle Accident Report, investigative reports, and SF 94, Statement of Witness will comply with the following retention schedule:

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Record Number and Title:

GRS 05.6/100 Accident and Incident Records.

Description:

Records documenting accidents and incidents occurring on, in, or at Government-owned or leased facilities, vehicles (land, water, and air), and property used by Federal agencies.

Includes:

- statements of witnesses
- warning notices
- records about arrests, commitments, and traffic violations
- accident and incident reports
- law enforcement agency requests for information

Exclusion 1: Records of the Federal Aviation Administration (FAA) and the National Transportation Safety Board (NTSB) relating to aircraft used by Federal agencies, including leased aircraft used by Federal agencies. The FAA and NTSB cover these records under agency-specific schedules.

Exclusion 2: Workers' compensation (personnel injury compensation) records. GRS 2.4, Employee Compensation and Benefits Records, items 100 and 101, covers these records.

Exclusion 3: Records that vehicle management offices maintain about vehicle and vessel accidents—land, water, and air. GRS 5.4, Facility, Equipment, Vehicle, Property, and Supply Records, item 140, covers these records."

Retention Instructions:

Temporary. Destroy 3 years after final investigation or reporting action or when 3 years old, whichever is later, but longer retention is authorized for business use.

Legal Citation:

DAA-GRS-2017-0006-0013 (GRS 05.6/100)

11. Provide additional justification for any questions of a sensitive nature.

There are no questions on the form that are considered to be of a sensitive nature.

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

- a. Developmental Costs: None. This is an existing form and existing reporting requirements.
- b. User Costs: User cost is minimal because the SF 94 is evaluated (if it exists) with the Standard Form (SF) 91, Motor Vehicle Accident Report. There is no way to determine the time involved on a separate basis, nor the time applied for purposes of litigation and program evaluation.

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9,653 accidents x 20 minutes average review time = 3,218 hours
3,218 hours x \$25.25 per hour = \$81,244

c. Annual Reporting Burden:

- o Respondents: 290.
- o Responses per Respondent: 1.
- o Total Annual Responses: 290.
- o Hours per response: .333.
- o Total Burden Hours: 97.

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no additional annual cost burdens to respondents or recordkeepers resulting from the collection of information on the SF 94.

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

The Bureau of Transportation Statistics reports a motor vehicle crash rate of 208 crashes per 100 million vehicle miles travelled for the year 2018. There were an estimated 9,653 reportable motor vehicle accidents in the Federal Government during fiscal year 2018. Of those, an estimated 3-5 percent involved possible public usage of the form. It is estimated that no more than 20 minutes is required to complete the form. Additional time may be required of the witness if he or she is required to testify as part of the judicial process.

Operational Costs: There were 4,640,773,259 total miles traveled by Federal agencies in FY 2018. Per this accident rate, it is estimated that there are approximately 9,653 reportable Federal motor vehicle accidents each year.

Fiscal Year 2018 = 9,653 accidents =
9,653 accidents x 3-percent public involvement estimate =
290 public involvement accidents x 20 minutes per report =
97 hours of possible public time
(Estimate: \$52,713 annual salary)
\$52,713/2,087 hours in work year = \$25.25 per hour salary
\$25.25 per hour x 97 hours = \$2,437.00

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

The SF 94 was previously approved under Office of Management and Budget (OMB) Control Number 3090-0118 and is being transitioned to a Common Form. As a Common Form, users outside of GSA (e.g., Department of Defense or Department of Homeland Security) will be able to easily implement use of the form after they have coordinated with OMB to identify their specific information requirements.

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The burden associated with completion of the SF 94 has been updated to reflect the Bureau of Transportation Statistics report on motor vehicle crash rate for the year 2018. The total burden hours associated with completion of the SF 94 is not expected to vary because of differences in activity or size of complexity. The total number of respondents has decreased based on the conversion to a common form.

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

Information contained in this form is not published.

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.

No approval is requested.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions”.

No exceptions are requested.