

Information Collection Request Supporting Statements: Part A
Incident Reporting for Automated Driving Systems (ADS) and
Level 2 Advanced Driver Assistance Systems (ADAS)
OMB Control No. 2127-New

Abstract:

This information collection request (ICR) is for an information collection that will require manufacturers of motor vehicles and equipment and operators of motor vehicles to submit incident reports for certain crashes involving Automated Driving Systems (ADS) and Level 2 Advanced Driver Assistance Systems (ADAS). Standing General Order 2021-01 (General Order) will require vehicle and equipment manufacturers and operators of vehicles equipped with ADS or Level 2 ADAS to report crashes that meet specified criteria to the National Highway Traffic Safety Administration (NHTSA).

ADS and ADAS are new technologies that fundamentally alter the task of driving a motor vehicle by automating certain driver inputs (e.g., steering, acceleration, and braking) and decision making (e.g., path following and obstacle avoidance) that would otherwise be left to human control. Given the rapid evolution of these technologies and testing of new technologies and features on publicly accessible roads, it is critical for NHTSA to exercise its robust oversight over potential safety defects in vehicles operating with ADS and Level 2 ADAS. Crashes involving these vehicles have already resulted in multiple fatalities and serious injuries, and NHTSA anticipates that the number of these crashes will continue to grow in the near future given the increased number of vehicles on the road equipped with these technologies and the increased number of vehicle and equipment manufacturers in the market. The Standing General Order will provide the agency with critical and timely safety data, which will assist the agency in identifying potential safety issues resulting from the operation of advanced technologies on public roads. Access to this crash data may show whether there are common patterns in driverless vehicle crashes or systematic problems with specific vehicles or systems, any of which may reflect a potential defect.

The reporting entities will be required to report crashes where the ADS or Level 2 ADAS was engaged or in use immediately (≤ 30 seconds) before the crash. A manufacturer will be required to report any crash involving an ADS or Level 2 ADAS equipped vehicle that results in any individual being transported to a hospital for medical treatment, a fatality, a vehicle tow-away, or an air bag deployment or that involves a vulnerable road user. The manufacturer must report within one day after the reporting entity receives notice of the crash; an updated report will be due 10 days after receiving notice.

The 10-day report utilizes the same form and requests the same information as the 1-day reports. The 10-day report is a required follow up to the 1-day report because it is anticipated that, for some of these crashes, the reporting entity will have minimal information on the day after it receives notice. The proposed General Order therefore requires both the 1-day report, to give the agency prompt notice of a crash that may justify immediate follow up, and the 10-day report, to give the reporting entity more time to gather information required by the incident report form. No additional or incremental information is required for the 10-day report.

A report regarding any crash involving an ADS equipped vehicle that does not meet the previous criteria but nonetheless involves personal injury or property damage will be due on the fifteenth day of the month after the reporting entity receives notice of the crash. A reporting entity that receives new material or materially different information regarding a crash previously reported to NHTSA will be required to file an updated report the following month. A reporting entity that has no new or updated crash reports for a given month will be required to file a report stating so on the fifteenth day of the following month.

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal and 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.**

Under the National Traffic and Motor Vehicle Safety Act, as amended (the Safety Act), 49 U.S.C. Chapter 301, NHTSA is charged with authority “to reduce traffic accidents and deaths and injuries resulting from traffic accidents.” 49 U.S.C. § 30101. To carry out this statutory mandate, NHTSA has broad information gathering authority, including authority to obtain information on vehicle crashes, potential defects related to motor vehicle safety, and compliance with legal requirements to timely identify and conduct recalls for safety defects. *See* 49 U.S.C. § 30166(e)-(g); 49 C.F.R. Part 510; *see* 49 U.S.C. §§ 30118-30120.

NHTSA’s statutory mandate includes the exercise of its authority to proactively ensure that motor vehicles and motor vehicle equipment, including those with novel technologies, perform in ways that “protect[] the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident.” 49 U.S.C. § 30102(9).¹ Both ADS and ADAS are “motor vehicle equipment” subject to the requirements of the Safety Act. *See id.* § 30102(8). Given the rapid evolution of these technologies and testing of new technologies and features on publicly accessible roads, it is critical for NHTSA to exercise its oversight over potential safety defects in vehicles operating with ADS and Level 2 ADAS.² The Safety Act is preventive, and the identification of safety defects does not and should not wait for injuries or deaths to occur. *See, e.g., United States v. Gen. Motors Corp.*, 565 F.2d 754, 759 (D.C. Cir. 1977) (“The purpose of the Safety Act . . . is not to protect individuals from the risks associated with defective vehicles only after serious injuries have already occurred; it is to prevent serious injuries stemming from established defects before they occur.”)

¹ This includes the nonoperational safety of a motor vehicle. 49 U.S.C. § 30102(9).

² A Level 2 ADAS is a driver support feature on a vehicle that can control both steering and braking/accelerating simultaneously under some circumstances. The human driver must remain fully and continuously engaged in the driving task. *See* SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles § 5.3 (April 2021).

Consistent with this mandate, NHTSA proposes to issue a General Order that will require vehicle and equipment manufacturers and operators of ADS and Level 2 ADAS vehicles to report certain crashes to the agency.³

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.

Through this action, NHTSA intends to evaluate whether specific manufacturers (including manufacturers of prototype vehicles and equipment) are meeting their statutory obligations to ensure that their vehicles and equipment are free of defects that pose an unreasonable risk to motor vehicle safety, or are recalled if such a safety defect is identified. *See* 49 U.S.C. §§ 30112, 30118-30120.

NHTSA’s oversight of potential safety defects in vehicles operating on publicly accessible roads using ADS or Level 2 ADAS requires that NHTSA have timely information on incidents involving those vehicles. In carrying out the Safety Act, NHTSA may “require, by general or special order, any person to file reports or answers to specific questions.” *Id.* § 30166(g)(1)(A). Through the General Order, NHTSA proposes to require each vehicle and equipment manufacturer and operator of vehicles with ADS and each vehicle or equipment manufacturer of Level 2 ADAS to report specified information about certain safety-related incidents involving vehicles operating on publicly accessible roads using ADS or Level 2 ADAS.

Specifically, the General Order will require manufacturers and operators to report certain crashes involving these vehicles that occur while the ADS or Level 2 ADAS is engaged, or immediately after it is in use, and to provide sufficient information for NHTSA to identify crashes warranting further follow-up. Under the terms of the General Order, crashes that meet specified criteria must be reported within one calendar day after the manufacturer or operator receives notice of the crash, and other ADS crashes must be reported on a monthly basis. The reporting obligation in this General Order would be specific to these crashes, which are a primary source of information regarding potential defects in ADS or Level 2 ADAS.

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 forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

This information collection will require reporting entities to submit information in an electronic format using the NHTSA Manufacturer Recalls Portal (MAP). The General Order includes instructions explaining how to set up an account, if an entity does not

³ The reporting requirements in the General Order that would be applicable to operators are specific to entities (and not individuals) operating ADS equipped vehicles. Likewise, there are no reporting requirements in the General Order that would be applicable to individual owners, drivers, or passengers in Level 2 ADAS equipped vehicles.

already have one, and how to submit the required information using the provided reporting form.

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.

NHTSA's current information collections cannot meet the objectives of this information collection due to their scope and submission requirements. NHTSA's existing early warning regulations (EWR) regulations (49 C.F.R. Part 579, Subpart C) require some vehicle and equipment manufacturers to submit reports on only a limited set of incidents involving deaths or injuries. These reports do not identify those vehicles equipped with ADS or Level 2 ADAS; they are submitted only when there is a claim or allegation of a defect by a third party; and they are submitted only quarterly. Operators of ADS-equipped vehicles are not required to report any information under EWR.

The information provided under the existing EWR regulations does not provide adequate information to identify potential defects in ADS and Level 2 ADAS systems. Crashes resulting in deaths need not be reported unless a third party is already making a claim or allegation of defect. Additionally, crashes resulting in injuries are not required to be reported by low-volume manufacturers, and many crashes are not required to be reported at all. Finally, crashes are not reported under EWR soon enough for the agency to identify crashes that merit timely follow up, such as a Special Crash Investigation.

The General Order is specifically focused on the type of information NHTSA needs to identify potential defects in ADS and Level 2 ADAS. It requires information specific to the engagement of those systems at the time of the incidents, and it requires this information to be produced in time for the agency to identify those incidents for which follow up is appropriate. This information collection is therefore necessary for the agency to identify incidents, issues, and trends that may reflect a potential safety defect.

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

The entities required to report information under the General Order include both large and small businesses. Given the nature of the reporting requirements, which are specific to crashes involving property damage, personal injury, or death, NHTSA anticipates that the burden on small businesses with smaller fleets of vehicles will be proportionately smaller than the burden on larger businesses with larger fleets of vehicles. NHTSA also believes that the benefit of enhancing the agency's ability to identify safety-related defects in these emerging vehicle technologies outweighs the burden to these small businesses.

NHTSA has taken steps to minimize the burden imposed by this information gathering by utilizing electronic means for submissions and developing a standardized, interactive form that simplifies the reporting process.

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.

If NHTSA does not conduct this information collection, the agency will be limited in its ability to identify safety-related defects in new and developing technologies that are being tested and deployed on publicly accessible roads throughout the United States. This information collection will provide NHTSA with information it needs to carry out its statutory mandate to protect the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- a. requiring respondents to report information to the agency more often than quarterly;**
- b. requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- c. requiring respondents to submit more than an original and two copies of any document;**
- d. requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- e. in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- f. requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- g. that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- h. requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection involves special circumstances that require the information to be collected more often than quarterly. The General Order requires that certain crashes be reported within one calendar day after the reporting entity receives notice of the crash and that other reportable crashes be reported during the month following the month in which the reporting entity receives notice of the crash.

The one-day reports are required for crashes that meet specific criteria that make them of heightened interest in the identification of potential safety defects. For these incidents, the agency needs an initial report within one day to determine whether and, if so, what additional information gathering is appropriate. Absent a report within one day, there is a heightened risk that valuable information could be lost or become otherwise unavailable.

For other reportable crashes, reports are required on a monthly basis. The agency needs these reports on a monthly rather than quarterly basis because of the rapidly evolving nature of these advanced technologies (including over-the-air updates) and the serious consequences of an unidentified safety defect.

- 8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views.**

NHTSA intends to publish a 60-day notice requesting comment on this information collection as soon as practicable.

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

This information collection does not involve any payments or gifts to respondents.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

This information collection includes instructions for submitting a request for confidentiality under NHTSA's Confidential Business Information (CBI) regulation, 49 C.F.R. Part 512.

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

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 the respondents and estimates of the annualized labor cost to respondents associated with that hour burden.**

To estimate the burden associated with this information collection, NHTSA separated the requirements of the General Order down into seven components: (1) incident reports involving Level 2 ADAS that must be submitted within one business day; (2) updates to

incident reports involving Level 2 ADAS that must be submitted within ten days;
(3) incident reports involving ADS that must be submitted within one business day;
(4) updates to incident reports involving ADS that must be submitted within ten days;
(5) monthly reports; (6) training employees on the new requirements; and (7) time to set up an account to submit the reports.

Incident reports involving Level 2 ADAS that must be submitted within one business day. To estimate the burden associated with submitting Level 2 ADAS crash reports, NHTSA first looked to the category of crashes that must be reported. As explained above, the General Order only requires reporting of Level 2 ADAS crashes when (1) the crash occurred on a publicly accessible road in the United States (including any of its territories); (2) the Level 2 ADAS was engaged at any time during the period from 30 seconds immediately prior to the commencement of the crash through the conclusion of the crash; and (3) the crash resulted in any individual being transported to a hospital for medical treatment, a fatality, a vehicle tow-away, an air bag deployment, or involved a vulnerable road user. These crashes must be reported within one business day. Based on the number of manufacturers that manufacture vehicles equipped with Level 2 ADAS systems, NHTSA estimates that it will receive responses from 20 respondents reporting Level 2 ADAS crashes each year.

Further, after evaluating information available to the agency regarding the number of Level 2 ADAS crashes and the number of vehicles equipped with Level 2 ADAS, NHTSA estimates that it will receive, on average, 3,400 Level 2 ADAS crash reports each year. NHTSA believes this is a high-end estimate and will refine this estimate after seeking public comment. NHTSA expects that the number of crash reports submitted by each respondent will vary significantly, with some manufacturers submitting many more reports than others. However, on average, NHTSA estimates that each respondent will submit, on average 170 crash reports per year. NHTSA estimates that it will take respondents approximately 2 hours to compile and submit each crash report. Therefore, NHTSA estimates the total annual burden hours for submitting Level 2 ADAS crash reports to be 340 hours per manufacturer (2 hours \times 170 crash reports) and 6,800 hours for all manufacturers (2 hours \times 3,400 crash reports).

Updates to incident reports involving Level 2 ADAS that must be submitted within ten days. In addition to submitting information on the certain Level 2 ADAS crashes within one day, manufacturers must also submit updated information within ten days. NHTSA estimates that updating the crash reports will take approximately 1 hour per report. Therefore, NHTSA estimates that it will take each manufacturer approximately 200 hours each year to submit updated Level 2 ADAS crash reports (1 hour \times 170 crash reports) and 3,400 hours for all Level 2 ADAS manufacturers (1 hour \times 3,400 crash reports).

Incident reports involving ADS that must be submitted within one business day. To estimate the number of one-day ADS crash reports NHTSA will receive in each year, NHTSA looked at the number of ADS crashes reported to California. There were 105

ADS crashes reported to California in 2019.⁴ NHTSA believes that it is reasonable to assume that about half of all ADS testing in the United States is occurring in California. Therefore, NHTSA expects that there will be approximately 200 ADS crashes that manufacturers and operators will be required to report to NHTSA. Some of these crashes will be required to be submitted within one day and the rest will be required to be submitted on a monthly basis. The requirements for when ADS crashes must be reported within one day are the same as for Level 2 ADAS crashes: (1) the crash occurred on a publicly accessible road in the United States (including any of its territories); (2) the ADS was engaged at any time during the period from 30 seconds immediately prior to the commencement of the crash through the conclusion of the crash; and (3) the crash resulted in any individual being transported to a hospital for medical treatment, a fatality, a vehicle tow-away, or an air bag deployment or the crash involves a vulnerable road user.

Based on NHTSA's review of the California crash reports, NHTSA believes that most of the ADS crashes will be submitted in monthly reports, with only approximately 5% of crashes being submitted within one day. Therefore, NHTSA estimates that 10 ADS crash reports will be submitted within one day. NHTSA estimates that each ADS crash report will take 2 hours to complete and submit, including the time to submit updated reports. NHTSA expects that each of these 10 reports will be made by a different manufacturer or operator. Therefore, NHTSA estimates the burden per respondent to be 2 hours (1 crash report × 2 hours) and 20 hours for all respondents (10 ADS crash reports × 2 hours).

Updates to incident reports involving ADS that must be submitted within ten days. In addition to submitting information on certain ADS crashes within one day, manufacturers and operators must also submit updated information within ten days. NHTSA estimates that updating the crash reports will take approximately 1 hour per report. Therefore, NHTSA estimates that it will take each manufacturer approximately 1 hour each year to submit updated ADS crash reports and 10 hours for all ADS manufacturers and operators (1 hour × 10 crash reports).

Monthly reports. This information collection requires respondents to submit monthly reports. ADS manufacturers and operators must report crashes in these monthly reports that are reportable but were not required to be submitted within one day. Additionally, both ADS manufacturers and operators and ADAS manufacturers will be required to submit information in monthly reports if they receive new material or materially different information about crashes for which the respondent already submitted reports (via one-day reports, ten-day update reports, or prior monthly reports). Further, as explained above, manufacturers and operators of ADS-equipped vehicles and Level 2 ADAS vehicles are required to submit monthly reports even when they do not have any crash reports to submit. If they do not have any reportable information, their monthly report is a simple certification. To estimate the burden of monthly reports, NHTSA considered the burden for monthly reports with initial ADS crash reports, monthly reports with updates

⁴ NHTSA chose to use the 2019 data instead of using data from 2020 or an average of the two years because of the impact of the COVID-19 health emergency on ADS operations that rendered 2020 data less representative. We note that this figure measuring all ADS crashes in a given area and time period is overinclusive because reports would only be due to NHTSA for such crashes where the ADS was in operation shortly before or during the crash.

to previously submitted crash reports, and those with certifications of no reportable information. NHTSA estimates there will be 110 Level 2 ADAS and ADS vehicle manufacturers and operators that will be required to submit monthly reports each year, for a total of 1,320 monthly reports annually.

NHTSA estimates that the burden for preparing and submitting monthly reports will vary depending on whether the monthly report includes no reportable information, new reportable information, or updates to previously submitted information. Some of these respondents may be required to submit only information about ADS crashes or Level 2 ADAS crashes and some may be required to submit information about both types of crashes. NHTSA estimates that because ADS vehicles are often operated in small, controlled fleets, the entities will readily know whether there have been any crashes that must be reported to NHTSA. Level 2 ADAS vehicles, however, are typically produced by large manufacturers and operated by consumers. Therefore, NHTSA estimates that each monthly report submitted by an ADS manufacturer or operator will take 15 minutes to submit, and for ADS manufacturers that have no reportable information to submit, this will be the only burden associated with submitting the monthly report. For manufacturers that also produce ADAS Level 2 vehicles, NHTSA estimates that submitting monthly reports will take 2 hours, which allow the manufacturer to verify whether the manufacturers have received any reportable information. NHTSA estimates that there will be 90 ADS manufacturers and operators and 20 manufacturers of Level 2 ADAS vehicles each year (including manufacturers that produce both Level 2 ADAS vehicles and ADS vehicles). Therefore, NHTSA estimates that respondents will spend 750 hours preparing and submitting monthly reports not including burden associated with providing new or updated reportable information ($90 \text{ ADS manufacturers and operators} \times 12 \text{ monthly reports} \times 0.25 \text{ hours} = 270 \text{ hours}$; $20 \text{ Level 2 ADAS manufacturers} \times 12 \text{ monthly reports} \times 2 \text{ hours} = 480 \text{ hours}$; $270 + 480 = 750$).

As described above, NHTSA estimates that there will be 200 ADS crash reports each year and 10 of those will be required to be submitted within one business day. The remaining 190 ADS crash reports will be submitted via monthly reports. NHTSA estimates that preparing and submitting monthly reports that contain crash reports to take, on average, 2 hours to prepare and submit. Therefore, NHTSA estimates the burden associated with preparing and submitting ADS crash report information that will be submitted in monthly reports be 380 hours ($190 \text{ monthly reports} \times 2 \text{ hours}$).

In addition to submitting information about new ADS crashes in monthly reports, respondents will also be required to submit updated information in the following month if any new material or materially different information about any ADS or Level 2 ADAS incident is received. NHTSA estimates that for 20% of ADS crashes first reported in a monthly report (i.e., not a one-day report), respondents will need to submit updated information. For ADS and Level 2 ADAS crashes that are reported within one business day, NHTSA estimates that respondents will need to submit updated information in monthly reports for 5% of those crashes (these would be updates in addition to those reported within ten days). Therefore, NHTSA estimates that 209 monthly reports will include updated crash information ($190 \text{ ADS crashes first reported in monthly reports} \times$

$0.2 = 38$; $3,400$ Level 2 ADAS one-day crashes $\times 0.05 = 170$; 10 ADS one-day crashes $\times 0.05 = 0.5$; $170 + 38 + 0.5 \approx 209$). NHTSA estimates that providing updated information within a monthly report will take 1 hour. Therefore, NHTSA estimates the burden for monthly reports with updated information to be 209 hours (209 monthly reports $\times 1$ hour).

The total burden associated with monthly reports is estimated to be 1,339 hours (750 hours + 190 hours + 209 hours), which averages to about 12 hours per respondent.

Training employees on the new requirements. In addition to the burden associated with preparing and submitting reports, respondents are also expected to incur burden associated with training employees on the reporting requirements. NHTSA expects that ADS manufacturers and operators currently monitor all crashes and, therefore, will not need to train personnel on how to respond to this new information collection. NHTSA, however, does expect that some Level 2 ADAS manufacturers may need to spend training personnel on the new requirements. Although the amount of time may vary by manufacturer, NHTSA estimates that, on average, the 20 Level 2 ADAS manufacturers will spend 40 hours on training. Therefore, NHTSA estimates the total burden for training to be 800 hours (20 manufacturers $\times 40$ hours).

Time to set up an account to submit the reports. NHTSA also estimates that many of the respondents will need to set up a new account with NHTSA Manufacturer Recalls Portal (MAP) to allow them to submit reports. While established manufacturers already have MAP accounts, many ADS manufacturers and operators do not. NHTSA estimates that 85 entities will need to obtain new accounts with MAP. NHTSA estimates that setting up an account will take 2 hours. Therefore, NHTSA estimates the total burden to be 170 hours.

NHTSA estimates the total burden hours for the ten components of this ICR to be 12,539 hours ($6,800$ hours for initial one-day Level 2 ADAS reports, $3,400$ for updated one-day Level 2 ADAS reports, 20 hours for initial one-day ADS reports, 10 hours for updated ADS reports, $1,339$ hours for monthly reports, 800 hours for training, and 170 hours for setting up new accounts).

To calculate the labor cost associated with preparing and submitting crash reports and reports, training, and setting up new accounts, NHTSA looked at wage estimates for the type of personnel involved with these activities. NHTSA estimates the total labor costs associated with these burden hours by looking at the average wage for architectural and engineering managers in the motor vehicle manufacturing industry (Standard Occupational Classification # 11-9041). The Bureau of Labor Statistics (BLS) estimates that the average hourly wage is \$65.62.⁵ The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.4% of total

⁵ See May 2020 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 336100 - Motor Vehicle Manufacturing, available at https://www.bls.gov/oes/current/naics4_336100.htm#15-0000 (accessed June 21, 2021).

labor compensation costs.⁶ Therefore, NHTSA estimates the hourly labor costs to be \$93.21. Accordingly, NHTSA estimates the total labor cost associated with the 12,539 burden hours to be \$1,168,760.

Table 1 provides a summary of the estimated burden hours and labor costs associated with those submissions.

Table 1: Burden Estimates

Description of Information Collection Component	Number of Responses (Number of Respondents)	Estimated Burden Per Response (Burden Per Respondent)	Average Hourly Labor Cost	Labor Cost Per Response	Total Burden Hours	Total Labor Costs
Level 2 ADAS one-day reports, initial	3,400 (20)	2 hours (340 hours)	\$93.21	\$186.42	6,800	\$633,828
Level 2 ADAS one-day reports, update	3,400 (20)	1 hour (170 hours)	\$93.21	\$93.21	3,400	\$316,914
ADS one-day reports, initial	10 (10)	2 hours (2 hours)	\$93.21	\$186.42	20	\$1,864.20 (\$1,864)
ADS one-day reports, update	10 (10)	1 hour (1 hour)	\$93.21	\$93.21	10	\$932.10 (\$932)
Monthly Reports	1,320 (110)	1.01 hours (12.17 hours)	\$93.21	\$94.14	1,339	\$124,808.19 (\$124,808)
Training	20 (20)	40 hours (40 hours)	\$93.21	\$3,728.40	800	\$74,568
Setting Up MAP Account	85 (85)	2 hours (2 hours)	\$93.21	\$186.42	170	\$15,845.70 (\$15,846)
Total	8,245 (110)				12,539h ours	\$1,168,760, 958

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. Do not include the cost of any hour burden already reflected in the response provided in question 12.

NHTSA is seeking comment on whether manufacturers will incur any additional costs associated with complying with the new reporting requirements, such as investing in new IT infrastructure. However, NHTSA does not currently know whether manufacturers will incur additional costs, nor does NHTSA have a basis for estimating these costs. However, in the interim, NHTSA believes manufacturers will be able to comply with requirements by only incurring labor costs associated with the burden hours.

⁶ See Table 1. Employer Costs for Employee Compensation by ownership (Mar. 2021), available at <https://www.bls.gov/news.release/ecec.t01.htm> (accessed June 21, 2021).

14. Provide estimates of annualized costs to the Federal government. Provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The annualized costs to the Federal government involve costs associated with reviewing the ADS and Level 2 ADAS crash reports.

NHTSA estimates the cost of reviewing reports based on review time spent by a NHTSA analyst at a GS-13 salary. The hourly wage of a GS-13-5 employee is \$56.31.⁷ To estimate total compensation costs, NHTSA used the Bureau of Labor Statistics' estimate that wages and salary only represent 61.9 % of total employee compensation cost for State and local employees,⁸ which brings the total hourly cost for this employee's time to \$90.97. While review time may vary, NHTSA estimates that each crash report will take, on average, 2 hours to review. Assuming that NHTSA receives a combined 356 Level 2 ADAS and ADS crash reports, the agency estimates the associated time required for review to be 712 hours (356 crash reports × 2 hours), with an associated labor cost of \$64,771 (712 hours × \$90.97 per hour = \$64,770.64).

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet. If this is a new collection, the program change will be entire burden cost and number of burden hours reported in response to questions 12 and 13. If this is a renewal or reinstatement, the change is the difference between the new burden estimates and the burden estimates from the last OMB approval.

This is a new information collection. Therefore, NHTSA estimates the change in burden as a result of this program change to be 12,539 hours and \$0.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions as applicable.

NHTSA intends to make summary crash information it receives under the General Order publicly available. NHTSA will process the information it receives under the General Order, and then will begin making information publicly available on NHTSA.gov. NHTSA is not permitted under existing law to publicly disclose certain information, including personally identifiable information (PII) (such as the identity of individuals involved in crashes) and confidential business information.

⁷ 2020 General Schedule hourly rate with Washington DC locality pay: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB_h.pdf. Accessed 06/17/2021.

⁸ Employer Costs for Employee Compensation, <https://www.bls.gov/news.release/ecec.t01.htm>. Accessed 06/17/2021.

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 topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.” The required certifications can be found at 5 CFR 1320.9.

There are no exceptions.