

SUPPORTING STATEMENTS: PART A
OMB No. 2127-0616
FOR 49 CFR Part 579

Reporting of Information and Documents about Potential Defects

Abstract:¹

This information collection request (ICR) is for a reinstatement for NHTSA's information collection for reporting of information and documents about potential defects. Under 49 CFR Part 579, manufacturers of motor vehicles and motor vehicle equipment must report information and communications to NHTSA with respect to possible safety-related defects and non-compliances in their products, including the reporting of safety recalls and other safety campaigns the manufacturer conducts outside the United States. Under Part 579, there are three categories of reporting requirements: (1) requirements at § 579.5 to submit notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications (found in Subpart A of Part 579); (2) requirements at § 579.11 to submit information related to safety recalls and other safety campaigns in foreign countries (found in Subpart B of Part 579); and (3) requirements at §§ 579.21-28 to submit Early Warning Information (found in Subpart C of Part 579). The Early Warning Reporting (EWR) requirements (49 U.S.C. 30166(m); 49 CFR Part 579, Subpart C) specify that manufacturers of motor vehicles and motor vehicle equipment must submit to NHTSA information, periodically (quarterly or monthly) or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that assist NHTSA in identifying potential safety-related defects. In addition to requiring submissions periodically and upon request, this ICR includes a requirement to submit information within 5 days of information becoming available regarding foreign safety campaigns. The purpose of this information collection is to provide early warning of potential safety-related defects to NHTSA. NHTSA is modifying this request to include reporting for common green tires and additional information requested by NHTSA per 579.28(l) which were left out of the previous information collection request. Because this ICR is for a reinstatement, the increase in burden is 53,810 hours. This is 4,567 hours more than when NHTSA last received approval for this information collection (from 49,243 hours to 53,810). This increase is due in part to the modification to the request and in part as a result of an increase in submissions since NHTSA last sought approval.

¹ The Abstract must include the following information: (1) whether responding to the collection is mandatory, voluntary, or required to obtain or retain a benefit; (2) a description of the entities who must respond; (3) whether the collection is reporting (indicate if a survey), recordkeeping, and/or disclosure; (4) the frequency of the collection (e.g., bi-annual, annual, monthly, weekly, as needed); (5) a description of the information that would be reported, maintained in records, or disclosed; (6) a description of who would receive the information; (7) the purpose of the collection; and (8) if a revision, a description of the revision and the change in burden.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or 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.

The Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) was enacted on November 1, 2000. This Act includes a requirement that the National Highway Traffic Safety Administration (NHTSA) conduct Early Warning Reporting (EWR) rulemaking to require manufacturers of motor vehicles and motor vehicle equipment to submit information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that would assist NHTSA in identifying potential safety-related defects. The purpose of this legislation is to provide early warning of potential safety-related defects.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate actual use the agency has made of the information received from the current collection.

The information sought by NHTSA is used to promptly identify potential safety-related defects in motor vehicles and motor vehicle equipment in the United States. When a trend in incidents arising from a potentially safety-related defect is discovered, NHTSA relies on this information, along with other agency data, to determine whether or not to open a defect investigation. NHTSA is authorized to conduct such investigations by Title 49 U.S.C. Chapter 301 – Motor Vehicle Safety. The data collected pursuant to Part 579 assists NHTSA in identifying potential safety-related issues. Some of these investigations have influenced safety-related recalls and service campaigns.

The information collected under Part 579 includes: (1) notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications (found in Subpart A of Part 579); (2) information related to safety recalls and other safety campaigns in foreign countries (found in Subpart B of Part 579); and (3) requirements at §§ 579.21-28 to submit Early Warning Information (found in Subpart C of Part 579). The Early Warning Reporting (EWR) requirements (49 U.S.C. 30166(m); 49 CFR Part 579, Subpart C) specify that manufacturers of motor vehicles and motor vehicle equipment must submit to NHTSA information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible

defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that assist NHTSA in identifying potential safety-related defects.

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.

The great majority of the Part 579 information collected by NHTSA involves the use of electronic technology. Most of the required data is submitted using electronic filing of standard format spreadsheets; and copies of documents, where required, are submitted using standard graphics image transfer in most cases. NHTSA's Office of Defects Investigation (ODI) has developed a new data system for its operations, and a key part of this data system is the functional capability to receive electronic transfer of EWR data. This includes an internet data repository through which the reports can be submitted. Over 95 percent of the EWR data submitted by manufacturers utilize electronic submission. NHTSA has closely coordinated the design of the data system to accommodate manufacturers' needs. If a manufacturer does not have the capability to utilize electronic submission (i.e. high speed data transfer), alternatives are available, including electronic forms on NHTSA's web site.

The information collected on foreign safety campaigns consists of a document, which could be created using word processing software, submitted by means of e-mail to ODI.

Notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications that manufacturers provide to dealers, lessors, lessees, and owners are submitted to ODI through an online portal set up specifically for manufacturer communications. This portal is a secure site that downloads the data into our case management system.

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 is the only governmental agency that requires manufacturers to submit this information; consequently, there is no duplication of the data submitted and the information is not already available elsewhere. The unique file naming convention also prevents duplication of submission as part of the verification process when the information is submitted.

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

Although portions of the Part 579 reporting requirements impact small businesses, NHTSA has taken steps to minimize this burden, which include using electronic means of submissions. Further, light vehicle manufacturers, trailer manufacturers, motorcycle manufacturers, and medium and heavy truck manufacturers of fewer than 5,000 vehicles, emergency vehicle manufacturers of fewer than 500 vehicles, and bus manufacturers of fewer than 100 buses, as well as manufacturers of motor vehicle equipment other than tires and child restraint systems, will be exempt from most of the reporting requirements, and will be required to report only claims and notices of death where an allegation is made of a possible defect in their products, manufacturer communications, and notices of foreign campaigns. Although the EWR requirements may impact small child restraint, tire, some bus and emergency vehicle manufacturers, NHTSA has used the EWR data to influence a significant number of recalls. Therefore, the agency believes that the injury reducing and life-saving benefits of removing defective equipment from our roads outweighs the burden to these small businesses.

Regarding foreign safety campaigns, this information collection can impact small businesses; however, the information that is required has been set at the minimum necessary to describe the safety recall or safety campaign and how it potentially affects identical or similar products sold in the United States.

6. Describe the consequences 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.

This information collection is essential to meeting the purpose of the TREAD Act and allows NHTSA to collect early warning information to assist the agency in identifying safety-related defects. Without it, the objectives of the TREAD Act cannot be achieved. These include reducing the number of motor vehicle crashes, and the number of associated injuries and deaths by providing early warning of safety-related defects. NHTSA has determined that reducing the frequency of reporting, from quarterly, would affect the timeliness of the action that could be taken to prevent motor vehicle crashes, injuries and fatalities caused by safety-related defects.

7. Explain any special circumstances that require the 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 request involves one reporting requirement that is more often than quarterly and pertains to manufacturer communications, which are required to be submitted monthly. NHTSA has determined that monthly reporting is required to provide NHTSA with timely information about possible safety-related defects.

This information collection request also involves a requirement to submit information within 5 days of it becoming available regarding foreign safety campaigns. The requirement for safety campaign information to be submitted within 5 working days of the triggering event in a foreign country is required by the TREAD Act and codified at 49 U.S.C. 30166(1).

8. Provide a copy of the Federal Register document 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 these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported.

NHTSA published a Federal Register notice soliciting comments on this collection on December 29, 2020 (See 85 FR 85848). No public comments were filed in response to the 60-day notice. NHTSA published a Federal Register 30-day notice soliciting comments on this collection on October 29, 2021 (See 86 FR 60096). Comments to the 30-day notice are due by November 29, 2021.

In addition, NHTSA communicates on a regular basis with manufacturers regarding TREAD submissions and provides an EWR Helpdesk to assist

respondents who experience concerns with the reporting process. As noted in the response to Question 3, ODI recently developed a new data system to receive EWR submissions through an internet data repository. This system was designed to accommodate the needs of respondents. Prior to its implementation, ODI provided training in the use of the new system to manufacturers by reporting category (e.g., light vehicles, motorcycles, child restraints, tires). The training materials are available online as a resource for existing and new respondents. When necessary, ODI has provided direct, one-on-one assistance to respondents experiencing issues with any part of the TREAD reporting process.

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.

NHTSA's Confidential Business Information (CBI) regulation, 49 CFR part 512 establishes a specific procedure for seeking confidentiality. The CBI final rule, published on October 19, 2007 (72 FR 59434), issued determinations that certain classes of early warning information are confidential. These classes are warranty claims, warranty adjustments for tires, field reports and hard copies of non-dealer field reports, consumer complaints, common green tire identifiers and production data for equipment and vehicles other than light vehicles. In addition, NHTSA determined that the last six (6) characters of the Vehicle Identification Number (VIN) in information related to EWR death and injury incident reports are confidential.

The CBI regulation did not establish class determinations for death or injury claims or notices, property damage claims or production information for light vehicles. If a manufacturer seeks confidential treatment of the data, it must submit a request for confidentiality in accordance with NHTSA's regulations for granting confidential treatment, 49 CFR Part 512, *Confidential Business Information*, and NHTSA will provide confidentiality, as appropriate.

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.

NHTSA estimates that the total burden hours associated with this collection will be 53,810 hours. This is an increase of 4,567 hours from when this information collection was last approved. This includes increases of 4,558 hours from changes in the volume of submissions and 9 hours from the addition of reporting for common green tires.

When this information collection was last renewed in June 2017, NHTSA estimated the annual burden associated with this collection to be 49,243 burden hours and \$6.784 million in associated labor costs. NHTSA is updating these estimates to better align with the current volume of submissions and to include reporting requirements for common green tires and follow-up sequences per § 579.28(l), which were inadvertently omitted from the previous information collection request. NHTSA now estimates the annual burden hours associated with this collection to be 53,810 hours.

Under Part 579, there are three categories of reporting requirements: (1) requirements at § 579.5 to submit notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications (found in Subpart A of Part 579); (2) requirements at § 579.11 to submit information related to safety recalls and other safety campaigns in foreign countries (found in Subpart B of Part 579); and (3) requirements at §§ 579.21-28 to submit Early Warning Information (found in Subpart C of Part 579). The Early Warning Reporting (EWR) requirements (49 U.S.C. 30166(m); 49 CFR Part 579, Subpart C) specify that manufacturers of motor vehicles and motor vehicle equipment must submit to NHTSA information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that assist NHTSA in identifying potential safety-related defects.

In addition to the burdens associated with submitting information required under each subpart of Part 579, NHTSA also estimates that manufacturers will incur computer maintenance burden hours, which are estimated on a per manufacturer basis.

Requirements under Part 579, Subpart A:

The first component of this collection request covers the requirements found in Part 579 Subpart A, § 579.5, *Notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications*. Section 579.5 requires manufactures to furnish (1) a copy of all notices, bulletins, and other communications sent to more than one manufacturer, distributor, dealer, lessor,

lessee, owner, or purchaser, in the United States, regarding any defect in its vehicles or items of equipment (including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications), whether or not such defect is safety-related and (2) a copy of each communication relating to a customer satisfaction campaign, consumer advisory, recall, or other safety activity involving the repair or replacement of motor vehicles or equipment, that the manufacturer issued to, or made available to, more than one dealer, distributor, lessor, lessee, other manufacturer, owner, or purchaser, in the United States. Manufacturers are required to submit this information monthly. However, Section 579.5 does not require manufacturers to create these documents. Instead, only copies of these documents must be submitted to NHTSA and manufacturers must index these communications and email them to NHTSA within 5 working days after the end of the month in which they were issued. Therefore, the burden hours are only those associated with collecting the documents and submitting copies to NHTSA.

NHTSA estimates that it receives approximately 24,884 notices a year. We estimate that it takes about 5 minutes to collect, index, and send each notice to NHTSA. Therefore, we estimate that it takes 2,074 hours for manufacturers to submit notices as required under Section 579.5 (24,884 notices \times 5 minutes = 124,420 minutes or 2,074 hours).

To calculate the labor cost associated with submitting Section 579.5 notices, bulletins, customer satisfaction campaigns, consumer advisories and other communications that are sent to more than one dealer or owner, NHTSA looked at wage estimates for the type of personnel submitting the documents. While some manufacturers employ clerical staff to collect and submit the documents, others use technical computer support staff to complete the task. Because we do not know what percent of the work is completed by clerical or technical computer support staff, NHTSA estimates the total labor costs associated with these burden hours by looking at the average wage for the higher paid technical computer support staff. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Computer Support Specialists (BLS Occupation code 15-1230) in the Motor Vehicle Manufacturing Industry is \$31.39.² The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.2% of total labor compensation costs.³ Therefore, NHTSA estimates the hourly labor costs to be \$44.72 for Computer Support Specialists. The labor cost per submission is estimated to be \$3.73 ($\44.72×5 minutes). NHTSA estimates the total labor cost associated with the 2,074 burden hours for § 579.5 submissions to be \$92,817.32 ($\$3.73 \times 24,884$ submissions). Table 1 provides a summary of the burden estimates using the average annual submission count for monthly reports

² May 2019 National Industry-Specific Occupational Employment and Wage Estimates NAICS 336100 - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, https://www.bls.gov/oes/current/naics4_336100.htm#15-0000. Last Accessed June 17, 2020.

³ Employer Costs for Employee Compensation, U.S. Bureau of Labor Statistics, <https://www.bls.gov/news.release/ecec.t01.htm>. Last Accessed July 30, 2020.

submitted pursuant to § 579.5 and the estimated burden hours and labor costs associated with those submissions.

Table 1: Burden Estimates for § 579.5 Submissions

Average Annual § 579.5 Submissions	Estimated Burden Per Submission	Average Hourly Labor Cost	Labor Cost Per Submission	Total Burden Hours	Total Labor Costs
24,884	5 minutes	\$44.72	\$3.73	2,074	\$92,817.32 \$92,817

Requirements under Part 579, Subpart B (Foreign Reporting)

The second component of this information collection request covers the requirements found in Part 579 Subpart B, “Reporting of Safety Recalls and Other Safety Campaigns in Foreign Countries.” Pursuant to § 579.11, whenever a manufacturer determines to conduct a safety recall or other safety campaign in a foreign country, or whenever a foreign government has determined that a safety recall or other safety campaign must be conducted, covering a motor vehicle, item of motor vehicle equipment, or tire that is identical or substantially similar to a vehicle, item of equipment, or tire sold or offered for sale in the United States, the manufacturer must report to NHTSA not later than 5 working days after the manufacturer makes such determination or receives written notification of the foreign government’s determination. Section 579.11(e) also requires each manufacturer of motor vehicles to submit, not later than November 1 of each year, a document that identifies foreign products and their domestic counterparts.

In order to provide the information required for foreign safety campaigns, manufacturers must (1) determine whether vehicles or equipment that are covered by a foreign safety recall or other safety campaign are identical or substantially similar to vehicles or equipment sold in the United States, (2) prepare and submit reports of these campaigns to the agency, and (3) where a determination or notice has been made in a language other than English, translate the determination or notice into English before transmitting it to the agency.

NHTSA estimates that there is no burden associated with determining whether an individual safety recall covers a foreign motor vehicle or item of motor vehicle equipment that is identical or substantially similar to those sold in the United States because manufacturers can simply consult the list that they are required to submit each year. Therefore, the only burden associated with making the determination of whether a foreign safety recall or other safety campaign is required to be reported to NHTSA is the burden associated with creating the annual list. NHTSA continues to estimate that it takes approximately 9 hours per manufacturer to develop and submit the list. The 9 hours are comprised of 8 attorney hours and 1 hour for IT work. NHTSA receives these lists from 101 manufacturers, on average, resulting in 909 burden hours (101 vehicle manufacturers × 8 hours for attorney support = 808 hours) + (101 vehicle manufacturers

× 1 hour for IT support = 101 hours).

NHTSA estimates that preparing and submitting each foreign defect report (foreign recall campaign) requires 1 hour of clerical staff and that translation of determinations into English requires 2 hours of technical staff (note: this assumes that all foreign campaign reports require translation, which is unlikely). Between 2016 and 2018, NHTSA received a yearly average of 227 foreign recall reports. NHTSA estimates that in each of the next three years, NHTSA will receive, on average, 227 foreign recall reports. NHTSA estimates that each report will take 3 hours (1 hour to prepare by a clerical employee and 2 hours for translation). Therefore, NHTSA estimates that the burden hours associated with submitting these reports will be 681 hours (3 hours per report × 227 reports).

Therefore, NHTSA estimates the total annual hour burden on manufacturers for reporting foreign safety campaigns and substantially similar vehicles/equipment is 1,590 hours (909 hours for submitting annual lists + 681 hours for submitting foreign recall and safety campaign reports). This is an increase of 444 burden hours from our previous estimate (1,590 hours for current estimate – 1,146 hours for previous estimate). Table 2 provides a summary of the estimated burden hours for Part 579 Subpart B submissions.

Table 2: Burden Hour Estimates for Foreign Reporting

Submission Type	Annual Number of Submissions	Burden Hours Per Report	Total Burden Hours
Foreign Recall/Safety-Related Campaign Report	227	1 hour clerical + 2 hours translation = 3 hours	681 hours
Annual List	101	8 hours attorney + 1 hour IT = 9 hours	909 hours
Total			1,590 hours

To calculate the labor cost associated with Part 579 foreign reporting submissions, NHTSA looked at wage estimates for the type of personnel submitting the documents. As stated above, NHTSA estimates that submitting annual lists under § 579.11(e) will involve 8 hours of attorney time and 1 hour of IT work. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Lawyers (BLS Occupation code 23-1000) in the Motor Vehicle Manufacturing Industry is \$95.85⁴ and the average hourly wage for Computer Support Specialists (BLS Occupation code 15-1230) in the Motor Vehicle Manufacturing Industry is \$31.39.⁵ The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.2% of total labor compensation costs.⁶ Therefore, NHTSA estimates the hourly labor costs to be \$136.54 for Lawyers and

⁴ May 2019 National Industry-Specific Occupational Employment and Wage Estimates NAICS 336100 - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, https://www.bls.gov/oes/current/naics4_336100.htm#23-0000.

⁵ https://www.bls.gov/oes/current/naics4_336100.htm#15-0000.

⁶ Employer Costs for Employee Compensation, U.S. Bureau of Labor Statistics, <https://www.bls.gov/news.release/ecec.t01.htm>. Last Accessed July 31, 2020.

\$44.72 for Computer Support Specialists. NHTSA estimates the total labor cost associated with submitting one annual list to be \$1,137.04 (\$136.54 per hour × 8 attorney hours + \$44.72 per hour × 1 IT hour) and \$114,841.04 or \$114,841 for all 101 annual lists NHTSA estimates will be submitted annually.

NHTSA estimates that submitting each foreign recall or safety campaign report involves 1 hour of clerical work and 2 hours of translation work. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Office Clerks (BLS Occupation code 43-9061) in the Motor Vehicle Manufacturing Industry is \$20.74⁷ and the average hourly wage for Interpreters and Translators (BLS Occupation code 27-3091) is \$27.40⁸. The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.2% of total labor compensation costs.⁹ Therefore, NHTSA estimates the hourly labor costs to be \$29.54 for Office Clerks and \$39.03 for Interpreters and Translators. NHTSA estimates the total labor cost associated with submitting one foreign recall or safety campaign report to be \$107.60 (\$29.54 per hour × 1 Clerical hour + \$39.03 per hour × 2 Translator hours) and \$24,425.20 or \$24,425 for all 227 foreign recall or safety campaign reports NHTSA estimates will be submitted annually.

Table 3 provides a summary of the labor costs associated with the foreign reporting requirements in Part 579, Subpart B. NHTSA estimates that the total labor costs associated with the annual list requirement and the requirement to report foreign recalls and safety campaigns is \$139,266 (\$114,841 + \$24,425).

Table 3: Annual Labor Cost Estimates for Foreign Reporting

Submission Type and Labor Category	Hours Per Submission	Hourly Labor Cost	Labor Cost Per Submission	Number of Submissions	Total Labor Cost
Annual List-Lawyer	8	\$136.54	\$1,092.32	101	\$110,324.32
Annual List-Computer Specialist	1	\$44.72	\$44.72	101	\$4,516.72
Totals for Annual List	9		\$1,137.04		\$114,841.04 or \$114,841
Foreign Recall/Safety-Related Campaign	1	\$29.54	\$29.54	227	\$6,705.58

⁷ May 2019 National Industry-Specific Occupational Employment and Wage Estimates NAICS 336100 - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, https://www.bls.gov/oes/current/naics4_336100.htm#43-0000. Last Accessed June 17, 2020.

⁸ May 2019 National Occupational Employment and Wage Estimates United States, U.S. Bureau of Labor Statistics, https://www.bls.gov/oes/current/oes_nat.htm. Last Accessed June 17, 2020.

⁹ Employer Costs for Employee Compensation, U.S. Bureau of Labor Statistics, <https://www.bls.gov/news.release/ecec.t01.htm>. Last Accessed July 31, 2020.

Report-Clerical					
Foreign Recall/Safety-Related Campaign Report-Translator	2	\$39.03	\$78.06	227	\$17,719.62
Totals for Foreign Recall/Safety Campaign Report	3		\$107.60		\$24,425.20 or \$24,425
Total Labor Costs for Part 579 Subpart B Requirements					\$139,266.24 or \$139,266

Requirements under Part 579, Subpart C (Reporting of Early Warning Information (EWR))

The third component of this information collection covers the requirements found in Part 579, Subpart C, "Reporting of Early Warning Information." Besides production information, there are five major categories requiring reporting of incidents or claims in Subpart C, with the specific requirements and applicability of those categories varying by vehicle and equipment type and, in some circumstances, manufacturer volume. Sections 579.21-27 require manufacturers to submit the following: (1) production information; (2) reports on incidents involving death or injury in the United States; (3) reports on incidents involving one or more deaths in a foreign country involving a vehicle or item of equipment that is identical or substantially similar to a vehicle or item of equipment that is offered for sale in the United States; (4) separate reports on the number of property damage claims, consumer complaints, warranty claims, and field reports that involve a specified system or event; (5) copies of field reports; and, for manufacturers of tires, (6) a list of common green tires (applicable to only tire manufacturers). Section 579.28(l) allows NHTSA to request additional related information to help identify a defect related to motor vehicle safety. The regulation specifies the time frame for reporting for each category. Foreign recalls of substantially similar vehicles and manufacturer communications are required to be submitted monthly, substantially similar vehicle listings are required annually, and all other report types are required to be submitted on a quarterly basis.

Quarterly Reporting

Manufacturers are required to report production information to NHTSA on a quarterly basis (i.e., 4 times per calendar year)¹⁰. Estimates of the burden hours and reporting costs are based on:

- The number of manufacturers reporting;

¹⁰ Low volume and equipment manufacturers are not required to submit production information.

- The frequency of required reports;
- The number of hours required per report; and
- The cost of personnel to report.

The number of hours for reporting ranges from 1 hour for trailer manufacturer to 8 hours for light vehicle manufacturers (Table 4). Quarterly reporting burden hours are calculated by multiplying hours used to report for a given category by the number of manufacturers for the category and by the four times per year quarterly reporting. Using these methods and the average number of manufacturers who report annually, we estimate the annual burden hours for quarterly reporting at 5,216 hours as detailed below in Table 4.

NHTSA assumes that 50 percent of the total burden hours are utilized by technical personnel while clerical staff consumes the remaining 50 percent. In other words, the hourly wage rate for each quarterly report is split evenly between technical and clerical personnel and a weighted hourly rate is developed from this assumption. Therefore, using the BLS total hourly compensation rates discussed above of \$44.72 for a Computer Support Specialist and \$29.54 for an Office Clerk, the weighted hourly rate is \$37.13 (Technical Mean Hourly Wage of \$44.72 x 0.5 + Clerical Mean Hourly Wage of \$29.54 x 0.5). The estimated reporting costs are calculated as follows:

$$(M \times T_p \times \$37.13 = \text{quarterly cost of reporting}) \times 4 = \text{annual cost of reporting}^*$$

*M = Manufacturers reporting data in the category; T_p = Reporting time for the category; \$37.13 = Reporting labor cost compensation rate; 4 = Quarterly reports per year

For example, the estimated reporting cost for light vehicles is \$42,773.76 (36 manufacturers x 8 hours x \$37.13 compensation rate x 4 quarters), and the total annual labor costs associated with quarterly reporting are estimated to be \$193,670. Table 4 includes the estimated burden hours and reporting costs for non-dealer field reports, aggregate submissions, and death and injury submissions. The quarterly and annual labor costs associated with reporting are outlined in Table 4.

Table 4: Estimated Manufacturer Annual Burden Hours and Labor Costs for Quarterly Reporting

Vehicle/ Equipment Category	Avg. Number of Manufacturers	Quarterly Hours to Report per Manufactur er	Blended Hourly Comp. Rate	Quarterly Labor Costs per Manufacture r	Annual Burden Hours for Reporting	Annual Labor Costs
Light Vehicles	36	8	\$37.13	\$297.04	1,152	\$42,773.76
Medium- Heavy	39	5	\$37.13	\$185.65	780	\$28,961.40

Vehicles						
Trailers	96	1	\$37.13	\$37.13	384	\$14,257.92
Motorcycles	15	2	\$37.13	\$74.26	120	\$4,455.60
Emergency Vehicles	8	5	\$37.13	\$185.65	160	\$5,940.80
Buses	33	5	\$37.13	\$185.65	660	\$24,505.80
Tires	32	5	\$37.13	\$185.65	640	\$23,763.20
Child Restraints	42	1	\$37.13	\$37.13	168	\$6,237.84
Vehicle Equipment	36	8	\$37.13	\$297.04	1,152	\$42,773.76
Totals		40			5,216 Hours	\$193,670.08 or \$193,670

Early Warning Reporting (EWR) Field Data Submissions¹¹

Table 5 provides an average annual submission count for each category submitted per the requirements of 49 CFR 579, Subpart C: reports on incidents involving death or injury in the United States; reports on incidents involving one or more deaths in a foreign country involving a vehicle or item of equipment that is identical or substantially similar to a vehicle or item of equipment that is offered for sale in the United States; separate reports on the number of property damage claims, consumer complaints, warranty claims, and field reports that involve a specified system or event; copies of field reports; and, for manufacturers of tires; a list of common green tires; and additional follow-up information per § 579.28(l) related to injury and fatality claims or comprehensive inquiries. Each reporting category has specific requirements and types of reports that need to be submitted and we state “N/A” where there is no requirement for that reporting category.

Table 5: Annual Average of EWR Submissions by Manufacturers (2016 – 2018)

Category of Claims	Light Vehicles	Heavy, Med Vehicles	Trailers	Motorcycles	Emergency Vehicles	Buses	Tires	Child Restraints	Equipment Mfr.	Totals
Incidents Involving Injury or Fatality in U.S.	11,124	39	30	133	8	33	58	453	9	11,887
Incidents Involving Fatality in Foreign Country	146	6	5	2	0	1	3	167	0	330
Reports on Number of Claims	10,261	666	91	40	0	0	1,154	NA	NA	12,212

¹¹ Field data includes incidents identified in claims or notices involving deaths or injuries and consumer complaint, field report, property damage claim and warranty claim data.

Involving Specific System or Event										
Mfr. Field Reports	66,722	16,639	20	1,301	0	0	NA	3,727	NA	88,409
Common Green Tire Reporting	NA	NA	NA	NA	NA	NA	112	NA	NA	112
Average Number of Follow-Up Sequences per 579.28(l)	148	10	3	5	1	1	3	17	2	190
Totals:	88,401	17,360	149	1,481	9	35	1,330	4,364	11	113,140

The above updated submission totals represent an 12% increase from the previously approved information collection. Submission totals for each category have risen with an average of 11,887 injury and fatality claims in the United States (previously 9,804 claims), 330 foreign death claims (previously 101 claims), 12,212 claims involving specific system or event (previously 11,481 claims), 88,409 manufacturer field reports (previously 79,297 field reports), 112 common green tire reports, and 190 injury and fatality or comprehensive inquiry follow-up sequences per 579.28(l), totaling 113,140 submissions on average (previously estimated at 100,683 submissions).

The agency estimates that an average of 5 minutes is required for a manufacturer to process each report, except for foreign death claims and follow-up responses. We estimate foreign death claims and follow-up responses per 579.28(l) require an average of 15 minutes to process. Multiplying the total average number of minutes by the number of submissions NHTSA receives in each reporting category yields the burden hour estimates found below in Table 6. Our previous estimates of Early Warning associated burden hours totaled 8,407, and we now update that total to 9,515 burden hours, a 13.2% increase, associated with the above noted claim categories.

Table 6: Annual Manufacturer Burden Hour Estimates for EWR Submissions

Category of Claims	Annual Average of EWR Submissions	Average Time to Process Each Report	Estimated Annual Burden Hours
Incidents Involving Injury or Fatality in U.S.	11,887	5 min.	990.58 hrs.
Incidents Involving Fatality in	330	15 min.	82.50 hrs.

Foreign Country			
Reports on Number of Claims Involving Specific System or Event	12,212	5 min.	1,017.67 hrs.
Mfr. Field Reports	88,409	5 min.	7,367.42 hrs.
Common Green Tire Reporting	112	5 min.	9.33 hrs.
Average Number of Follow-Up Sequences per 579.28(1)	190	15 min.	47.5 hrs.
Totals:	113,140 Submissions		9,515 hours

Thus, the total estimated annual manufacturer burden hours for Sections 579.21-28 (EWR submissions and quarterly reporting) are 14,731 hours (5,216 (Table 4) + 9,515 (Table 6)).

We have also constructed various estimates of the average five minutes of labor among the various occupations depending on the type of claim that was reviewed. Table 7 shows the estimated time allocations that it will take an individual to review each type of claim (in minutes) and the weighted hourly rate for individuals involved.

Table 7: Estimated Manufacturer Time Allocation by Claim Type and Weighted Hourly Rate

Claim Type	Estimated Time (in minutes) to Review A Claim						Total Time	Weighted Hourly Rate
	Lawyer (Rate: \$136.54 ¹²)	Engineer (Rate \$63.03 ¹³)	IT (Rate: \$66.82 ¹⁴)	Technical (Rate: \$44.72 ¹⁵)	Clerical (Rate: \$29.54 ¹⁶)			

¹² May 2019 National Industry-Specific Wage Estimates, - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, Lawyers (Code 23-1000), \$95.85, https://www.bls.gov/oes/current/naics4_336100.htm#23-0000, divided by 70.2% for compensation rate, <https://www.bls.gov/news.release/ecec.t01.htm>.

¹³ May 2019 National Industry-Specific Wage Estimates - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, Engineers (Code 17-2000), \$44.25,

Incidents Involving Injury or Fatality in U.S.	3	0	0	0	2	5	\$93.74
Incidents Involving Fatality in Foreign Country	3	10	0	0	2	15	\$73.27
Reports on Number of Claims Involving Specific System or Event	0	0	0	3	2	5	\$38.65
Mfr. Field Reports	0	0	0	3	2	5	\$38.65
Green Tire Events	0	0	0	0	5	5	\$29.54
Average Number of Follow-Up Sequences per 579.28(l)	3	10	0	0	2	15	\$73.27

The total labor costs for claims documents were obtained using the following formula:

$$K \times T \times W = \text{Costs for claim type}^*$$

*K = Claims submitted by industry; T = Estimated time spent on a claim; W = Weighted Hourly Rate.

Table 8 shows the annual labor costs of reporting EWR information to NHTSA.

Table 8: Estimated EWR Annual Labor Costs by Category

Category of Claims	Annual Average of EWR Submissions	Average Time to Process Each Report	Weighted Hourly Rate	Estimated Labor Cost per Submission	Estimated Annual Labor Cost
Incidents	11,887	5 min.	\$93.74	\$7.81	\$92,857.28

https://www.bls.gov/oes/current/naics4_336100.htm#17-0000, divided by 70.2% for compensation rate, <https://www.bls.gov/news.release/ecec.t01.htm>.

¹⁴ May 2019 National Occupational Employment and Wage Estimates, U.S. Bureau of Labor Statistics, Computer and Information Analysts (Code 15-1210), \$46.91, https://www.bls.gov/oes/current/oes_nat.htm#15-0000, divided by 70.2% for compensation rate, <https://www.bls.gov/news.release/ecec.t01.htm>.

¹⁵ May 2019 National Industry-Specific Wage Estimates - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, Computer Support Analyst (Code 15-1230), \$31.39, https://www.bls.gov/oes/current/naics4_336100.htm#15-0000, divided by 70.2% for compensation rate, <https://www.bls.gov/news.release/ecec.t01.htm>.

¹⁶ May 2019 National Industry-Specific Wage Estimates - Motor Vehicle Manufacturing, U.S. Bureau of Labor Statistics, Office Clerks (Code 43-9061), \$20.74, https://www.bls.gov/oes/current/naics4_336100.htm#43-0000, divided by 70.2% for compensation rate, <https://www.bls.gov/news.release/ecec.t01.htm>.

Involving Injury or Fatality in U.S.					
Incidents Involving Fatality in Foreign Country	330	15 min.	\$73.27	\$18.32	\$6,044.78
Reports on Number of Claims Involving Specific System or Event	12,212	5 min.	\$38.65	\$3.22	\$39,332.82
Mfr. Field Reports	88,409	5 min.	\$38.65	\$3.22	\$284,750.65
Common Green Tire Reporting	112	5 min.	\$29.54	\$2.46	\$275.71
Average Number of Follow-Up Sequences per 579.28(1)	190	15 min.	\$73.27	\$18.32	\$3,480.33
Totals:	113,140 Submissions				\$426,741.56 or \$426,742

Computer Maintenance Burden

In addition to the burden associated with submitting documents under each subpart of Part 579, NHTSA also estimates that manufacturers will incur computer maintenance burden hours associated with the information collection requirements. The estimated manufacturer burden hours associated with aggregate data submissions for consumer complaints, warranty claims, and dealer field reports are included in reporting and computer maintenance hours. The burden hours for computer maintenance are calculated by multiplying the hours of computer use (for a given category) by the number of manufacturers reporting in a category. NHTSA estimates that light vehicle manufacturers will spend approximately 347 hours per year on computer maintenance hours and that other vehicle manufacturers will spend about 25% as much time as light vehicle manufacturers on computer maintenance. Therefore, NHTSA estimates that medium-heavy truck, trailer, motorcycle manufacturers, emergency vehicle, and bus manufacturers will each spend approximately 86.5 hours on computer maintenance each year. NHTSA estimates that tire manufacturers and child restraint manufacturers will also

spend 86.5 hours on computer maintenance per year. Therefore, NHTSA estimates the total burden for computer maintenance to be 35,415 hours per year (based on there being an estimated 36 light vehicle manufacturers, 39 medium-heavy vehicle manufacturers, 96 trailer manufacturers, 15 motorcycle manufacturers, 8 emergency vehicle manufacturers, 33 bus manufacturers, 32 tire manufacturers, and 42 child restraint manufactures).

To calculate the labor cost associated with computer maintenance hours, NHTSA looked at wage estimates for the type of personnel submitting the documents. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Computer Support Specialists (BLS Occupation code 15-1230) in the Motor Vehicle Manufacturing Industry is \$31.39.¹⁷ The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.2% of total labor compensation costs.¹⁸ Therefore, NHTSA estimates the hourly labor costs to be \$44.72 for Computer Support Specialists. For the estimated total of 35,415 annual computer maintenance burden hours, NHTSA estimates the associated labor costs will be approximately \$1,583,736.

Table 9 shows the annual estimated burden hours for computer maintenance by vehicle/equipment category and the estimated labor costs associated with those burden hours.

Table 9: Estimated Manufacturer Annual Burden Hours for Computer Maintenance for Reporting

Vehicle/ Equipment Category	Avg. Number of Manufacturers	Hours for Computer Maintenance per Manufacture r	Average Hourly Labor Cost	Annual Labor Cost per Manufacturer	Total Annual Burden Hours	Total Annual Labor Costs
Light Vehicles	36	347	\$44.72	\$15,517.84	12,492	\$558,642.24
Medium-Heavy Vehicles	39	86.5	\$44.72	\$3,868.28	3,374	\$150,862.92
Trailers	96	86.5	\$44.72	\$3,868.28	8,304	\$371,354.88
Motorcycles	15	86.5	\$44.72	\$3,868.28	1,298	\$58,024.20
Emergency Vehicles	8	86.5	\$44.72	\$3,868.28	692	\$30,946.24
Buses	33	86.5	\$44.72	\$3,868.28	2,855	\$127,653.24
Tires	32	86.5	\$44.72	\$3,868.28	2,768	\$123,784.96
Child Restraints	42	86.5	\$44.72	\$3,868.28	3,633	\$162,467.76
Totals					35,415 hours	\$1,583,736.44 or \$1,583,736

Based on the foregoing, we estimate the burden hours for industry to comply with the current Part 579 reporting requirements (EWR requirements, foreign campaign

¹⁷ https://www.bls.gov/oes/current/naics4_336100.htm#15-0000.

¹⁸ Employer Costs for Employee Compensation, U.S. Bureau of Labor Statistics, <https://www.bls.gov/news.release/ecec.t01.htm>. Last Accessed July 31, 2020.

requirements and Part 579.5 requirements) to be 53,810 hours per year. The total annual burden hours for this information collection consisting of manufacturer communications under § 579.5 (Subpart A), foreign reporting (Subpart B), EWR submissions and reporting (Subpart C), and computer maintenance and associated labor costs are outlined in Table 9 below.

Table 10: Total Manufacturer Burden Hours and Labor Costs

Reporting Type	Annual Burden Hours	Annual Labor Costs
Subpart A: Manufacturer Communications § 579.5 (Table 1)	2,074	\$92,817
Subpart B: Foreign Reporting (Table 2)	1,590	\$139,266
Subpart C: EWR Submissions and Quarterly Reporting (Tables 4 & 6/8)	14,731	\$620,412
Computer Maintenance (Table 9)	35,415	\$1,583,736
Total	53,810	\$2,436,231

13. Provide estimates of the total annual cost to the respondents or recordkeepers resulting from the collection of information.

NHTSA estimates the collection requires no additional costs to the respondents beyond the labor costs associated with the burden hours to collect and submit the reports to NHTSA and the labor hours and associated labor costs for computer maintenance.

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

Information submitted under Part 579 is entered into NHTSA’s Artemis system and subsequently analyzed. NHTSA estimates that the annualized cost estimate for the data is: \$2,045,975 for collecting and processing data, \$570,510 for computer and network support, and \$430,000 for compliance and outreach.

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.

Because this ICR is for a reinstatement, the increase in burden is 53,810 hours. This is 4,567 hours more than when NHTSA last received approval for this information collection (from 49,243 hours to 53,810). The increase in burden hours is due to increases in the number of submissions and modifying this request to include reporting for common green tires and additional information requested

by NHTSA per § 579.28(l), which were left out of the previous information collection request. For the number of submissions and the addition of common green tire reporting, the reporting burden increased 4,558 hours and 9 hours, respectively. Table 11 provides a breakdown of the increases in burden hours by reporting type and cause.

Table 11: Total Manufacturer Burden Hours and Labor Costs

Reporting Type	Changes in Burden Hours from Increased Number of Submissions			Change in Burden Hours from Addition of Common Green Tire Reporting	Total Increase in Burden Hours
	Old Burden Hour Estimates	New Annual Burden Hours	Change in Burden Hours from Increased Submissions		
Subpart A: Manufacturer Communications § 579.5 (Table 1)	583	2,074	1,491	0	1,491
Subpart B: Foreign Reporting (Table 2)	1,146	1,590	444	0	444
Subpart C: EWR Submissions and Quarterly Reporting (Tables 4 & 6)	12,615	14,722	2,107	9	2,116
Computer Maintenance (Table 9)	34,899	35,415	516	0	516
Total	49,243	53,801	4,558	9	4,567

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 publishes certain information collected under Part 579 on its website at <https://www.nhtsa.gov/vehicle-manufacturers/early-warning-reporting-ewr>. This includes EWR death and injury data, property damage claims or production information for light vehicles that has not been granted confidential treatment by NHTSA’s Office of Chief Counsel (see reference to response to question 10). The data on NHTSA’s website is periodically updated to include the latest EWR death and injury data, property damage claims or production information for light vehicles.

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 1320.9.¹⁹

NHTSA will provide a PRA statement and OMB Control Number on its public Early Warning Reporting website within the “Submitting Data” section, as well as within the Manufacturer Portal where manufacturers upload their respective Early Warning Reporting data.

Paperwork Reduction Act Statement: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2127-0616. The information collected on this form is necessary to assist NHTSA in the identification of potential safety defects in motor vehicles or motor vehicle equipment. Based on the type of data being collected, the time required to submit data will vary for each data type and manufacturer, and these estimates are provided in Federal Register notice 2020-28766 (National Highway Traffic Safety Administration, “Agency Information Collection Activities; Notice and Request for Comment; Reporting of Information and Documents About Potential Defects,” 85 FR 85848, Dec. 29, 2020). The information collected is mandatory under 49 CFR Part 579. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, National Highway Traffic Safety Administration, 1200 New Jersey Ave, S.E., Room W45-205, Washington, DC, 20590.

¹⁹ Specifically explain how the agency display the OMB control number and expiration date and will inform potential respondents of the information required under 5 CFR 1320.8(b)(3); the reasons the information is planned to be and/or has been collected; the way such information is planned to be and/or has been used to further the proper performance of the functions of the agency; an estimate, to the extent practicable, of the average burden of the collection (together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden); whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority); the nature and extent of confidentiality to be provided, if any (citing authority); and the fact that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.