

**Information Collect Request Supporting Statement A**  
**Uniform Procedures for State Highway Safety Grant Programs**  
**OMB Control Number 2127-0730**

**Abstract:**<sup>1</sup>

This is to request approval for reinstatement of a previously approved collection of information for State grants under Chapter 4 of Title 23, U.S.C., including State Highway Safety Program grants, the National Priority Safety Program grants, and a separate grant on racial profiling data collection. The purpose of the information collection is to collect information necessary for NHTSA to issue grants to States. To receive grants, a State must submit a Highway Safety Plan (HSP) that supports its qualifications for receiving grant funds. Specifically, the HSP consists of information on the highway safety planning process, performance report, performance plan, problem identification, highway safety countermeasure strategies, planned activities and funding amounts, certifications and assurances, and application materials that cover Section 405 and 1906 grants.

Responding to the information collection is required for respondents to receive grants. Respondents to the collection include 57 State respondents (the 50 States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, and the Secretary of the Interior). The grant submissions from States are annual and States must also submit an annual report evaluating their progress in achieving performance targets. In addition, as part of the statutory criteria for Section 405 grants covering the areas of occupant protection, traffic safety information system improvement and impaired driving countermeasures, States are required to receive an assessment of their State programs every three or five years in order to receive a grant. The assessments involve State and subject matter expert respondents. The assessment involves States providing certain information and responding to questions that are then provided to the subject matter experts. The subject matter experts in turn evaluate performance and provide recommendations for the purpose of improving programs in the covered areas. NHTSA estimates that, on average, 247 subject matter experts will provide responses for State assessments each year, and those responses will be coordinated by 13 administrative assistants. The subject matter experts are either recruited by NHTSA or the States voluntarily and provided payment for their time.

NHTSA is not requesting approval for any program changes. However, the total burden for this collection has increased by 12,935 hours (from 26,615 hours to 39,550) and \$422,500 (from \$0 to \$422,500). The increase in burden is due to including burden hours associated with the assessments and including, in response to question 13, the costs States incur in paying for the assessments. While the last request included, in response to question 12, an estimate that States pay \$325,000 to complete the assessments, NHTSA now estimates that assessments cost, on average, \$422,500 per year.

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<sup>1</sup> 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.

## 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.

The Fixing America’s Surface Transportation Act (FAST Act), Pub. L. 114-94, authorizes the National Highway Traffic Safety Administration to issue highway safety grants to States under Chapter 4 of Title 23, U.S.C.<sup>2</sup> These grant programs include the Highway Safety Program grants (23 U.S.C. 402 or Section 402), the National Priority Safety Program grants (23 U.S.C. 405 or Section 405) and a separate grant on racial profiling data collection contained in a previous authorization and restored under the FAST Act (Pub. L. 109-59, Sec. 1906 or Section 1906, as amended by Sec. 4011, Pub. L. 114-94).

Consistent with the statute, NHTSA has implemented a final rule (83 FR 3466, Jan. 25, 2018) that creates a consolidated application process for States to apply for grant funds. In order to meet the statutory requirements, a State will be required to submit a Highway Safety Plan (HSP) that supports its qualifications for receiving grant funds. The application deadline for grants is July 1, 2022, but depending on State procedures, States typically begin compiling application information months in advance. Specifically, the HSP consists of information on the highway safety planning process, performance report, performance plan, problem identification, highway safety countermeasure strategies, planned activities and funding amounts, certifications and assurances, and application materials that cover Section 405 grants and the reauthorized Section 1906 grant. States also must submit an annual report evaluating their progress in achieving performance targets. In addition, as part of the statutory criteria for Section 405 grants covering the areas of occupant protection, traffic safety information system improvement and impaired driving countermeasures, States may be required to receive an assessment of their State programs in order to receive a grant. States must provide information and respond to questions as part of the assessment process.

The individual grant programs covered under the consolidated application process include the following:

a. Highway Safety Program Grants (Section 402):

The purpose of this program is to fund a State highway safety program, approved by the Secretary, which is designed to reduce traffic crashes and the resulting deaths, injuries, and property damage. States are required to submit an HSP with performance measures and targets as a condition of approval of their highway safety program. To qualify for grant funding under Section 402, a State’s HSP must include the following: (1) a description of its highway safety planning process that includes the data sources and processes used by the State to identify its highway safety problems; (2) a performance plan containing quantifiable and measurable

<sup>2</sup> The Infrastructure Investment and Jobs Act (Pub. L. 117-58), identified as the Bipartisan Infrastructure Law, revised the requirements for these grants. However, these revisions do not take effect until fiscal year 2024. Accordingly, the grant application process for fiscal year 2023 is unchanged from the requirements identified in the FAST Act (Pub. L. 109-59). We will address these changes in a future rulemaking effort.

highway safety performance targets that are data-driven, including performance measures that are used as a basis for the development of the performance targets; (3) a description of highway safety strategies and projects, explaining how the State plans to implement the projects to reach the performance targets identified; (4) a performance report that describes the State's success in meeting State performance targets; and (5) certifications and assurances signed by the Governor's Representative for Highway Safety, indicating that the State will comply with applicable laws and regulations.

The State's HSP also may include application information for the National Priority Safety Program Grants under Section 405 and a separate grant on racial profiling data collection under Section 1906, as described below.

b. National Priority Safety Program Grants (Section 405):

The National Priority Safety Program Grants section of the FAST Act includes seven targeted grant programs available to help States address national priorities for reducing highway deaths and injuries. Specifically, these programs cover the following: (1) Occupant Protection Grants; (2) State Traffic Safety Information System Improvements Grants; (3) Impaired Driving Countermeasures Grants; (4) Distracted Driving Grants; (5) Motorcyclist Safety Grants; (6) State Graduated Driver Licensing Grants; and (7) Nonmotorized Safety Grants.

- i. Occupant Protection Grants: The purpose of this program is to encourage States to adopt and implement occupant protection laws and programs to reduce highway deaths and injuries from individuals riding unrestrained or improperly in motor vehicles.

A State may qualify for a grant under one of two categories as either a (1) high seat belt use rate State – a State that has an observed seat belt use rate of 90 percent or higher or (2) lower seat belt use rate – a State has an observed seat belt use rate below 90 percent. Depending on the seat belt use rates, States will be required to submit additional information indicating compliance with certain statutorily-specified programmatic requirements.

- ii. State Traffic Safety Information System Improvements Grants: The purpose of this program is to support State efforts to improve the data systems needed to help identify priorities for Federal, State and local highway and traffic safety programs, to link intra-State data systems, to improve the compatibility and interoperability of these data systems with national data systems and the data systems of other States, and to enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes and circumstances.

A State may qualify for a grant under this program if it demonstrates that it: (1) has a functioning traffic records coordinating committee (TRCC); (2) has established a traffic records strategic plan that describes specific, quantifiable, and measurable improvements to its safety databases; and (3) has demonstrated quantitative improvement in the data attributes of accuracy, completeness, timeliness, uniformity, accessibility, or integration of a core highway safety database. A State must also certify that an assessment of the

State's highway safety data and traffic records system was conducted or updated during the preceding five years.

- iii. Impaired Driving Countermeasures Grants: The purpose of this program is to support State efforts to reduce the problem of impaired driving.\_

A State may qualify for a grant based on the State's average impaired driving fatality rate. Specifically, a State may qualify under one of three categories: (1) Low-range State (based on an average rate of .30 or lower); (2) Mid-range State (based on an average rate higher than .30 and lower than .60); or (3) High-range State (based on an average rate of .60 or higher). A State may receive additional grant funding under this program by implementing and enforcing a mandatory ignition interlock law for all individuals convicted of driving under the influence of alcohol or driving while intoxicated and/or by implementing a statewide 24-7 sobriety program.

- iv. Distracted Driving Grants: The purpose of this program is to encourage States to enact and enforce distracted driving legislation.

A State may qualify for a distracted driving grant by having a law or laws that prohibit drivers from texting while driving and prohibit young drivers from using cell phones while driving. The law must also make the violation a primary offense and establish a minimum fine of \$25.

- v. Motorcyclist Safety Grants: The purpose of this program is to encourage the implementation of effective programs to reduce the number of single-and multi-vehicle crashes involving motorcyclists.

A State may qualify for a grant by meeting two of the six following criteria: (1) conducting a state-wide motorcycle rider training course; (2) conducting a state-wide program to enhance motorists' awareness of the presence of motorcycles; (3) achieving a reduction in fatalities and crashes involving motorcycles from a prior year; (4) conducting a statewide program to reduce impaired motorcycle operation; (5) achieving a reduction in fatalities and accidents involving impaired motorcyclists from a prior year; and (6) using all fees collected from motorcyclists for the purpose of funding motorcycle training and safety programs.

- vi. State Graduated Driver Licensing Grant: The purpose of this program is to encourage States to develop and implement a graduated driver's licensing system in law that consists of a multi-stage process for issuing driver's licenses to young, novice drivers and meets certain minimum requirements.

A State may qualify for a grant by having a graduated driver's licensing law that creates a multi-stage process, including a learner's permit stage that remains in effect until the driver reaches age 16, and an intermediate stage that remains in effect until the driver reaches age 17. The FAST Act sets statutory conditions that must be met by a driver at each stage.

- vii. Nonmotorized Safety Grant: The purpose of this program is to support State efforts to decrease pedestrian and bicyclist fatalities and injuries that result from crashes involving a motor vehicle.

A State may qualify for a grant if the State's combined fatalities for pedestrians and bicyclists exceeds 15 percent of its total annual crash fatalities using the most recently available final data from NHTSA's Fatality Analysis Reporting System (FARS).

c. Racial Profiling Data Collection Grant (Section 1906):

The purpose of the Section 1906 grant program under the FAST Act is to encourage States to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for all motor vehicle stops made on all public roads except those classified as local or minor rural roads.

A State may qualify for a grant by submitting documents that demonstrate that the State maintains and allows public inspection of statistical information on the race and ethnicity of drivers stopped by law enforcement officers on Federal-aid highways. The State also may provide assurances that the State will undertake activities to do so and provide a list of one or more projects to support such assurances.

d. Annual Report

In addition to the application requirements for each grant, States also must submit an annual report evaluating the State's progress in achieving performance targets. The information is necessary to verify performance under the grants and to provide a basis for improvement. The annual report includes an assessment of the performance targets identified in the prior HSP and a description of how the State will adjust its upcoming HSP to better meet performance targets if a State has not met them; a description of the planned activities funded and implemented along with the amount of Federal funds obligated and expended under the prior year HSP; a description of the State's evidence-based enforcement program activities; information regarding mobilization participation; an explanation of reasons for projects that were not implemented; and a description of how the projects funded under the prior year HSP contributed to meeting the State's highway safety performance targets. The annual report is submitted electronically to the agency within 90 days after the end of the fiscal year.

e. Assessments

States may be required to receive an assessment of certain covered programs in order to be eligible for some grants under Section 405.<sup>3</sup> NHTSA uses two different assessment approaches

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<sup>3</sup> Under occupant protection grants, one criterion that a State with a lower belt use rate may use to get a grant is to complete an assessment of its occupant protection program once every three years (23 U.S.C. § 405(b)(3)(B)(ii)(VI)(aa)) and another criterion is a comprehensive occupant protection program that includes a program assessment conducted every five years as one of its elements (23 U.S.C. § 405(b)(3)(B)(ii)(V)(aa)). 23 CFR 1300.21(e)(5)(i)). Under traffic safety system information system improvement grants, a State must have an assessment of its highway safety data and traffic records system once every 5 years in

based on the traffic safety area covered. For occupant protection and impaired driving countermeasures grants, State programs are assessed against uniform guidelines by a team of subject matter experts.<sup>4</sup> States provide written materials to the assessment team and participate in interviews as part of the process. For traffic safety information systems, States respond to questions based on an assessment advisory.<sup>5</sup> The assessors are jointly responsible for reviewing documentation, conducting interviews and participating in panel discussions in order to offer their subject matter expert opinion on the State program. The assessors draft an evaluation report and present it to the State. The assessors are also required to review and address the State's technical comments on the draft report, prior to submitting it as a final report. The final report also provides recommendations to the State on how it can improve its program.

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.

A State would submit, through its State Highway Safety Agency, a Highway Safety Plan which includes the required information to qualify for each grant program (as stated above). For Section 402, the primary focus of the required information would be to identify traffic safety projects with performance targets and measures to determine whether progress is made towards those targets. For Section 405, the State would identify the grant criteria under which it seeks to qualify and submit the information necessary to demonstrate that it meets the minimum qualification requirements. NHTSA would use the information provided to determine the State's eligibility to receive grant funds under the program. The annual report tracks progress in achieving the aims of the grant program and provides a basis for gauging improvement. As specified in statute, States may be required to receive an assessment of certain covered programs. The assessment process involves States providing information to the subject matter experts to evaluate performance and provide recommendations for the purpose of improving programs in the covered areas. In turn, the subject matter experts provide an assessment which States use. Completed assessments allow States to qualify for grants.

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 collection of information primarily consists of an application process. The Highway Safety Plans (HSP) and annual reports are submitted to NHTSA electronically via email. The assessment used for traffic safety improvement grants relies on a web-based interface. Through

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order to receive a grant (23 U.S.C. § 405(c)(3)(E)). Under impaired driving countermeasures grants, a State with high average impaired driving fatality rates must have an assessment of its impaired driving program once every 3 years in order to receive a grant (23 U.S.C.

§ 405(d)(3)(C)(i)(I)).

<sup>4</sup> The Uniform Guidelines for State Highway Safety Programs are available online at <https://one.nhtsa.gov/nhtsa/whatsup/tea21/tea21programs/index.htm>.

<sup>5</sup> The Traffic Records Program Assessment Advisory is available online at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812601>.

this Traffic Records Improvement Program Reporting System (TRIPRS) application, States submit responses that are reviewed later by a team of experts. Additionally, NHTSA recently converted its assessment process to allow for virtual assessments as opposed to in-person assessments for the occupation protection grants. NHTSA is currently evaluating whether to continue allowing partially or fully virtual assessments in the future to reduce the burden of the assessments on both States and subject matter experts.

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.

In general, because the information is unique to the requirements directed in Federal statute and the implementing regulation, there is virtually no possibility that this data is being collected through another source in the manner requested in the final rule that would allow a grant determination to be made.

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

This item does not apply. State governments are the only eligible recipients for these grant programs.

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.

This collection of information occurs annually or, for assessments (as directed in statute), on either a three or five-year basis.<sup>6</sup> Federal law requires the submission of this information in order to determine whether States qualify for grants each fiscal year.<sup>7</sup> Without the collection of information or with a collection that occurs on a less frequent basis, States would not be able to make the required showings under law that entitle them to receive grant funds.

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;

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<sup>6</sup> Three years for the 405b occupant protection and impaired driving grants and five years for the 405c traffic safety information system improvement grant. States also may request assessments as well.

<sup>7</sup> For example, Section 402 requires that each State, as a condition of the approval of the State's highway safety program for each fiscal year, must develop and submit to the Secretary of Transportation for approval a highway safety plan that complies with the statutory requirements. 23 U.S.C. § 402(k).

- 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.

There are no special circumstances that would cause this collection to be collected in a manner inconsistent with 5 CFR 1320.5(d)(2).

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.

On February 9, 2021, NHTSA published a notice in the Federal Register (86 FR 8832, Docket Number: NHTSA-2021-0009) requesting public comment and providing a 60-day comment period. NHTSA received three comments from the Governors Highway Safety Association (GHSA), the Tennessee Highway Safety Office, and an anonymous commenter. GHSA collects comments from its members and submits them together in one comprehensive submission. Comments addressed the timing of the Highway Safety Program applications and Annual Report, estimated burden hours, and the inclusion of other activities in the burden estimates.

### *General*

In general, commenters indicated support for the agency's collection of information and its use of a single, unified annual Highway Safety Plan. GHSA supports NHTSA's establishment of a national electronic grant program saying they, "applaud new NHTSA efforts thus far to gather insight from SHSO's on State financial systems and parameters of a future national systems." While GHSA encouraged the prioritization of a new financial electronic grant system, Tennessee stated that "A cradle-to-grave system would eventually make the entire process more beneficial to states." Both agreed, however, that a new system should be easy to use and prefaced with extensive testing, evaluation, and training. Commenters also included other topics unrelated to this PRA which will be addressed separately.



### *Timing of Highway Safety Plan Application*

Commenters raised issues with the timing of the HSP application and annual report. Tennessee commented that the “deadline is so early in the year” and that “States need time to look at the previous year’s uncertified FARS data (State data) to determine issue areas to address for the upcoming grant year and the most current certified FARS data.” Furthermore, the comment noted that the deadline of July 1 necessitates the use of amendments to supply information not available at the time of the application. For the annual report, GHSA commented that it is challenging to meet the due date for the annual report due to it coinciding with year-end closeout and the winter holidays. They also noted the new option in the revised 2 CFR 200<sup>8</sup> that allows NHTSA to extend the closeout and reporting deadline from 90 days to 120 days beginning with FY22. NHTSA will consider addressing this in our final implementing regulation which will supersede 2 CFR 200. Another commenter said that automating the annual report could help reduce the burden.

In response to these comments, NHTSA would like to reiterate that while FARS data is to be used to report progress on the core performance targets, States can use other sources of data to help determine their targets and priority problem areas. It is correct that States that do not know which projects will be funded at the time of application will need to follow up by providing a list of projects in an amendment to their application; however, States can provide this list in any format they choose as long as the four required data elements are included (project agreement number, subrecipient, amount of federal funds, and eligible use of funds). While NHTSA believes that this type of list is common and exists as a normal business practice in most States and the majority of States (68%) provided a list with their 2021 application, we agree that extra time may be needed. Accordingly, we have adjusted our estimated burden hours (see below).

### *Estimated burden hours*

Both GHSA and the anonymous commenter stated that they believe NHTSA under-estimated the burden of time involved in developing the HSP and annual report. One State that supplied comments to GHSA suggested that preparing the HSP, including both the Section 402 and 405 grant programs, likely takes over 400 hours. In support, GHSA commented that “HSP development involves not just planning within the SHSO but interaction with other partners as well to select projects and develop agreements.” GHSA acknowledged, however, the difficulty of developing an estimate across States since the number will “differ significantly from State to State.” They added that States do not track time spent meeting these requirements and “are involved in preparing HSPs and Annual Reports intermittently over time in addition to implementing programs and performing other duties.”

NHTSA agrees that an average may not be reflective of the experience of some States. While our initial burden hour estimate is not too dissimilar from GHSA’s (380 vs 400), after meeting to discuss the details of their comments, we agree that more time should be added to account for HSP planning activities which were not part of our original estimate. We agree that working with partners is necessary for planning and carrying out the program, but these activities are also normal every-day activities and not solely performed for the application process. In response to

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<sup>8</sup> See 85 Fed. Reg. 49506 (Aug. 13, 2020), effective November 12, 2020.

GHSA's comment and after further review of the issues, we have increased the estimate for the HSP application to 410 hours. We also revised our estimate for completing the annual report. One State reported to GHSA that it could take 100-120 hours. While we believe this estimate is high, we have increased our estimate to 80 hours, which is an increase of 40 hours from the original estimate.

GHSA also noted that the time burden required for an assessment is significant. While no commenters provided any estimates for how long assessments take, they expressed that assessments are similar to conference planning and include preparing materials, scheduling participants, making travel arrangements, arranging for audio visual, and coordination of facilities. NHTSA's estimate only covered the background material collection, responding to questions and participating in interviews during the assessment week. In response to these comments, NHTSA has increased the estimated burden hours for occupant protection and impaired driving assessments to 88 hours. With this in mind, and noting that traffic records assessments are also held virtually, the estimated hours for these assessments remain unchanged at 123 hours. For traffic assessments, NHTSA continues to estimate that the burden hours for a traffic records assessment will be 123 hours per respondent because these assessments are conducted virtually and involve submission of information submitted via email as opposed to through interviews.

#### *Other comments*

While commenting on the 60-day notice, GHSA took the opportunity to include comments outside the scope of the Paperwork Reduction Act. Some of the comments addressed aspects of the grant program which cannot be changed since they are part of the grant program regulation (23 CFR 1300). When meeting with GHSA, NHTSA acknowledged these topics and agreed to discuss these topics at a later time.

NHTSA met with the GHSA to discuss their comments to the 60-day notice. As a result of the meeting, NHTSA decided to increase the burden hours for the HSP application and annual report. NHTSA increased the burden hours for the HSP from 240 hours to 300 hours and increased the burden hours for the annual report from 40 hours to 80 hours. Additionally, NHTSA increased the estimated burden hours for 405b and 405d assessments to account for the time preparing for the assessment (from 80 to 88 hours).

On March 9, 2022, NHTSA published a document (87 FR 13360) announcing NHTSA's intention to submit the information request to OMB and requesting public comment.

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

NHTSA will not provide any payments or gifts to the State respondents. However, NHTSA provides payments to subject matter experts for traffic record assessments. NHTSA pays each subject matter expert \$2,100 for approximately 16 hours of their time.

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 system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

This item is not applicable. The information is collected from public documents, records and other sources and is not subject to confidentiality.

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.

This item is not applicable. There is no personal or sensitive information collected.

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.

*Burden Estimates for State Respondents:*

The estimated number of respondents for the grant application and annual report part of the collection of information is based on all eligible respondents each year for each of the grants:<sup>9</sup>

- Section 402 Grants: **57 respondents** (fifty States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, and the Secretary of the Interior).
- Section 405 Grants (except Impaired Driving Countermeasures, Motorcyclist Safety and Nonmotorized Grants) and Section 1906 Grant: **56 respondents** (fifty States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).
- Section 405 Impaired Driving Countermeasures, Motorcyclist Safety and Nonmotorized Grants: **52 respondents** (fifty States, the District of Columbia, and Puerto Rico).

The estimated number of respondents for the assessment part of the collection of information is based on the average number of State assessments that are carried out each year in each of the covered grant areas:<sup>10</sup>

- Section 405, Occupant Protection Grants, 9 assessments.
- Section 405, Traffic Safety Information System Improvement Grants, 14 assessments.

<sup>9</sup> The total number of respondents is based on every eligible respondent submitting the required information for every available grant, which results in an overstatement as not every State applies for every grant each year.

<sup>10</sup> Assessment average is based on the total number of assessments conducted each year and divided by the number of years since the inception of assessment requirements for certain grants under MAP-21, Pub. L. 112-141.

- Section 405, Impaired Driving Countermeasures Grants, 4 assessments.

Under the grant application and annual report requirements for Sections 402 and 405, we estimate that it will take each State respondent approximately 490 hours to collect, review and submit the required information to NHTSA (220 burden hours for 402 grant applications, 190 for 405 grant applications, and 80 hours for annual reports). For traffic safety information system improvement grants, we estimate that it will take State respondents 123 hours to respond to questions under the assessment. For occupant protection and impaired driving countermeasures grants, we estimate that it will take 80 hours to provide the required information and respond to questions under an assessment.

- Section 402 and 405 Grant Applications / Annual Report: 410
- Occupant Protection Grant Assessments: 88
- Traffic Safety Information System Improvement Grant Assessments: 123
- Impaired Driving Countermeasures Grant Assessments: 88

Based on the above information, the estimated annual burden hours for all State respondents is 30,606 hours.

NHTSA estimates the labor cost associated with respondents preparing application materials using the estimated average wage for “Management Analysts,” Occupation Code 13-1111. The Bureau of Labor Statistics estimates that the average hourly wage for management analysts in State and local government is \$31.95.<sup>11</sup> The Bureau of Labor Statistics estimates that wages for State and local government workers represent 61.8% of total compensation costs.<sup>12</sup> Therefore, NHTSA estimates the hourly labor costs to be \$51.70 and estimates that hourly labor cost associated with preparing materials to be \$24,056 per respondent.

If all eligible States applied for and received grants for all programs (and including the annual number of assessment responses required from States), the total labor costs on all State respondents would be \$1,582,329. See Table 1 below for a summary of estimated annual burden hours and estimated labor costs.

**Table 1: Estimated Burden Hours and Labor Costs for State Respondents**

Information Collection	Number of Respondents	Burden Hours Per Respondent	Hourly Labor Costs	Total Labor Costs	Total Burden Hours
Section 402 Grant Application	57	220	\$51.70	\$648,318	12,540
405 and 1906 Grant	56	190	\$51.70	\$550,088	10,640

<sup>11</sup> See May 2019 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 336100 - Motor Vehicle Manufacturing, available at [https://www.bls.gov/oes/current/naics4\\_999200.htm](https://www.bls.gov/oes/current/naics4_999200.htm) (accessed January 6, 2021).

<sup>12</sup>

Applications					
Annual Report	57	80	\$51.70	\$235,752	4,560
405b Assessment	9	88	\$51.70	\$40,946	792
405c Assessment	14	123	\$51.70	\$89,027	1,722
405d Assessment	4	88	\$51.70	\$18,198	352
<b>Totals:</b>				\$1,582,329	<b>30,606 hours</b>

In our view, these estimates represent the highest possible burden hours and amounts possible. All States do not apply for and receive a grant each year under each of these programs. In addition, under Section 405 grants, some requirements permit States to submit a single application covering multiple years allowing States simply to recertify in subsequent years.

*Burden Estimates for Subject Matter Expert Respondents:*

NHTSA estimates that there will be a total of 260 subject matter expert respondents per year. NHTSA estimates that, on average, 247 subject matter experts will provide responses for State assessments each year, and those responses will be coordinated by 13 administrative assistants. The subject matter experts are either recruited by NHTSA or the States voluntarily and are paid for their time. This estimate is based on the expected number of assessments that will be performed each year, the number of individuals involved with each assessment, and the estimated time per assessor. As stated above, NHTSA estimates that there will be 9 assessments for Section 405 occupant protection grants, 14 assessments for the Section 405 traffic safety information system improvement grants, and 4 assessments for the Section 405 impaired driving grant each year.

For occupant protection and impaired driving assessments it is estimated that assessors spend approximately 80 hours of work on each assessment, based on the following assumptions: 46 hours for the interviews and panel discussions and 34 hours for pre- and post- assessment activities, to include reviewing: (1) briefing book materials; (2) resources on the State Highway Safety Office's website, and (3) comments and/or suggestions submitted from the State after their review of the assessment final report. In addition, an administrative assistant is expected to spend approximately 46 hours preparing for the interviews and panel discussions and 18 hours for pre- and post- assessment activities, to include coordinating logistics, assisting team members and editing the document. Therefore, NHTSA estimates the total annual burden for Section 405b (occupant protection) assessment subject matter experts to be 4,176 hours ((5 SME × 80 hours × 9 assessments) + (1 Admin × 64 hours × 9 assessments)) and the total annual burden for Section 405d (impaired driving) assessment subject matter experts to be 1,856 hours ((5 SME × 80 hours × 4 assessments) + (1 Admin × 64 hours × 4 assessments)).

For traffic records assessments (Section 405c), NHTSA estimates that each subject matter expert will spend approximately 16 hours on an assessment. Therefore, NHTSA estimates the total

annual burden for traffic records subject matter experts to be 2,912 hours (13 SME × 16 hours × 14 assessments).

Based on the above information, the estimated annual burden hours for all Subject Matter Expert Respondents is 8,944 hours

To calculate the cost associated with the assessor respondents' time, NHTSA includes amounts paid to assessors. For occupant protection and impaired driving assessments, the State pays each subject matter expert \$2,700, which translates to \$33.75 per hour and pays each administrative assistant \$2,100, which translates to \$32.80 per hour. For traffic records assessments NHTSA pays each assessor \$2,100 for their time, or \$131.25 per hour. The total costs associated with burden hours for all Subject Matter Expert Respondents would be \$584,990. Table 2 provides a summary of the burden hours for subject matter expert respondents.

**Table 2: Estimated Burden Hours and Labor Costs for Subject Matter Expert Respondents**

Information Collection	Number of Respondents Per Assessment	Number of Assessments Per Year	Burden Hours Per Respondent	Hourly Labor Costs	Total Labor Costs	Total Burden Hours
405b Assessment	5 SME 1 Admin	9	80 64	\$33.75 \$32.80	\$121,500 \$18,893	3,600 576
405c Assessment	13 SME	14	16	\$131.25	\$382,200	2,912
405d Assessment	5 SME 1 Admin	4	80 64	\$33.75 \$32.80	\$54,000 \$8,397	1,600 256
<b>Total:</b>					<b>\$584,990</b>	<b>8,944 hours</b>

*Total Burden Estimates:*

Accordingly, NHTSA estimates the total burden hours for this information collection request is 39,550 (30,606 + 8,944) hours and the associated labor costs is estimated to be \$2,167,319 (\$1,582,329 + \$584,990).

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.

In addition to the labor costs associated with the burden hours, this collection involves costs to State respondents for the assessment team costs paid for by States for occupant protection and impaired driving assessments. Annually, these additional costs are \$32,500 per assessment, totaling \$422,500 based on the average estimated number of assessments (13) conducted each year for these programs. This is an increase of \$422,500 because NHTSA did not include the costs for assessments in response to question 13 in the previous request (however, NHTSA had estimated a total cost of \$325,000 for State respondent's assessments costs in response to

question 12 in the previous ICR).

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 estimated annualized costs to the Federal Government are based on the amount of time spent on grant application review by NHTSA staff. We estimate the government costs for reviewing grant applications based on a NHTSA analyst at a GS-13 salary. The hourly wage of a GS-13-5 employee is \$56.31.<sup>13</sup> NHTSA estimates that it spends approximately 68 hours reviewing each State's grant application and annual report each year. If every State applies for each grant program, NHTSA estimates the cost to the Federal Government would be \$218,258 (57 State respondents × 68 hours × 56.31per/hour). In addition, for traffic records assessments, the agency pays \$52,565 per assessment (\$25,265 in contractor costs and \$27,300 for amounts paid to assessors). These costs cover the use of contractor experts to review State responses and prepare a final report. Based on the average estimated number of traffic records assessments (14) conducted each year, we estimate the total cost to be \$735,910. For occupant protection and impaired driving countermeasure assessments, the agency incurs travel / per diem costs associated with sending a staff member to observe the assessment process in a State, which lasts about 5-6 days. We estimate the average travel / per diem cost to be \$1,750 per assessment. Based on the average estimated number of these types of assessments (13) conducted each year, we estimate the total cost to be \$22,750.

The overall estimated annualized cost to the Federal Government is \$976,918.

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.

NHTSA is requesting a reinstatement with program changes of the additional burden calculation for the Subject Matter Experts of the assessments. The total burden for this collection has increased by 12,935 hours (from 26,615 hours to 39,550) and \$422,500 (from \$0 to \$422,500). The increase in burden is due to including burden hours associated with the assessments and including, in response to question 13, the costs States incur in paying for the assessments. While the last request included, in response to question 12, an estimate that States pay \$325,000 to complete the assessments, NHTSA now estimates that assessments cost, on average, \$422,500 per year.

16. For collection 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

<sup>13</sup> 2021 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](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB_h.pdf). Accessed 01/28/2021.

information, completion of report, publication dates, and other actions as applicable.

NHTSA plans to post all Highway Safety Plans on its website. Assessment reports are disclosed only at the discretion of the State being reviewed.

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 being sought to not display the expiration date for OMB approval of the information collection.

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.

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