

Information Collection Request Supporting Statements: Part A
49 CFR 566, Manufacturer Identification
OMB Control No. 2127-0043

Abstract:¹

This is to request approval from the Office of Management and Budget (OMB) for reinstatement with modification of a previously approved information collection. The collection is mandatory for all domestic and foreign manufacturers, including importers, of motor vehicles and motor vehicle equipment subject to the Federal motor vehicle safety standards (FMVSS), except for manufacturers of tires. Respondents are required to submit identifying information to the National Highway Traffic Safety Administration (NHTSA) within 30 days of beginning manufacturing of motor vehicles or items of motor vehicle equipment subject to the FMVSS or 30 days prior to importing motor vehicles or items of motor vehicle equipment. The identifying information consists of the manufacturer's name, address, and the type and a description of the vehicles or equipment they manufacture. The information is only submitted once unless the information in the original submission needs to be updated. NHTSA uses this information to contact manufacturers and also makes this information available to the general public on a NHTSA website. The purpose of this information is to collect identification information to ensure that NHTSA is able to identify manufacturers and their products and locate the manufacturer if a safety-related defect or noncompliance is suspected or found to exist in a motor vehicle or motor vehicle equipment. This ensures that NHTSA is able to administer and enforce recall of vehicles that do not comply with the FMVSS or contain safety-related defects.

NHTSA submitted a request to modify this information collection to OMB on February 12, 2020, in connection with a notice of proposed rulemaking. NHTSA is now resubmitting the request upon the publication of the final rule. The revision of this information collection includes the addition of a new type of regulated motor vehicle. NHTSA estimates that in each of the next three years, ten new replica manufacturers will submit identification information under part 566. This is a reinstatement and, therefore, increases total burden by 352 hours and \$0. This is an increase from 131 to 352 hours from when NHTSA last sought approval and is due to an increase in the number of submissions NHTSA expects to receive annually. Additionally, costs have decreased from \$3,3930 to \$0 because NHTSA is no longer incorrectly including labor costs associated with the burden hours in response to question 13.

A. Justification

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.

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 requirements in part 566 are needed to ensure that manufacturers are meeting their responsibilities under the Safety Act and the regulations administered by NHTSA. Pursuant to 49 U.S.C. 30118, if a motor vehicle or item of replacement motor vehicle equipment contains a defect related to motor vehicle safety or fails to comply with an applicable Federal motor vehicle safety standard, the manufacturer is required to furnish notification of the defect or noncompliance to the Secretary of Transportation (NHTSA by delegation), as well as to owners, purchasers, and dealers of the motor vehicle or replacement equipment, and to remedy the defect or noncompliance without charge to the owner. To ensure that NHTSA is able to contact the manufacturer should their vehicles or equipment be suspected of containing, or be found to contain, a safety-related defect or noncompliance with an applicable FMVSS, NHTSA issued 49 CFR Part 566, *Manufacturer Identification*, to collect identification information. NHTSA collects this information under authorities found at 49 U.S.C. § 30166 and § 30164(c) and uses it to identify and contact parties responsible for conducting recalls of nonconforming or defective motor vehicles or equipment.

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.

Part 566 requires manufacturers of motor vehicles or motor vehicle equipment, other than tires, to which a Federal motor vehicle safety standard applies, to submit to NHTSA, on a one-time basis, identifying information on themselves and on the products they manufacture to those standards. The information must be submitted no later than 30 days after the manufacturer begins to manufacture motor vehicles or motor vehicle equipment subject to the FMVSS. No specific form need be used for the submission of this information.

With changes implemented in 2015, manufacturers have been able to make these submissions using an online portal on the agency website. NHTSA provides an online portal with a fillable web-based format for use in submitting the required information. This is described in the *New Manufacturers Handbook*, which can be accessed on the agency's website at <https://vpic.nhtsa.dot.gov>. A description of the reporting requirement is included on pages 8 and 9 of the handbook. Manufacturers who have previously submitted identifying information must ensure that the information on file is accurate and complete by submitting revised information no later than 30 days after a change in the business that affects the validity of that information has occurred.

Manufacturers are required to submit to NHTSA the following information:

- (1) Full individual, partnership or corporate name.
- (2) The business name of the manufacturer commonly known to the public.
- (3) Residence address of the manufacturer and State of incorporation, if applicable.
- (4) Description of each type of motor vehicle or covered equipment item manufactured by the manufacturer, including, for motor vehicles, the approximate ranges of gross vehicle weight ratings (GVWR) for each type.

Manufacturers must keep entries current, accurate and complete by submitting revised information, not later than 30 days after any change affecting the validity of the information on file has taken place. The manufacturer conveys the information to NHTSA by entering the information directly into the agency's online portal or by sending the information to the agency by mail, e-mail, or by fax transmission.

The above-identified information is used by NHTSA to locate the manufacturer if a safety-related defect or noncompliance is suspected or found to exist in a motor vehicle or motor vehicle equipment item. NHTSA also publishes the information on its public website.

- 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 required information can be submitted electronically using the online portal on the agency's website at <https://vpic.nhtsa.dot.gov>. Virtually all submissions are now being made in this manner. Manufacturers that choose not to use the portal may submit the information by mail, email, or fax. However, replica manufacturers would be required to submit the information electronically. Without submitting this information electronically, there would be a delay in ensuring that the manufacturer has complied with the part 566 requirements before submitting replica registration information under part 586.

- 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.**

There are no similar information collections that require the information collected under part 566. Further, manufacturers are only required to submit the information once. After that initial submission, manufacturers are not required to submit any additional identifying information unless a change occurs in the information already on file with the agency.

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

Most manufacturers of motor vehicles and regulated items of motor vehicle equipment qualify as small businesses. The regulations in part 566 require each such manufacturer to submit identification information to NHTSA. The information each manufacturer needs to provide is, however, very minimal and readily available, consisting of no more than the manufacturer's name, address, State of incorporation if applicable, and a description of each type of motor vehicle or item of regulated equipment that it manufactures, including, for vehicles, the gross vehicle weight rating. Owing to the limited nature of this information, and the limited frequency of required submission, the agency believes burden on respondents is minimal, and that there is no need for any special procedure to be in place to minimize the reporting burden on small entities.

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.

It is necessary that this information be furnished by the manufacturer so that NHTSA has accurate identifying information to use in the event that a safety-related defect or noncompliance should be suspected or found to exist in one of the manufacturer's products. If NHTSA were not to collect identifying information on manufacturers of the vehicles and equipment that they manufacture, it could introduce unnecessary delays into the process of conducting recall campaigns that may be needed to address safety-related defects or noncompliances.

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

- a. requiring respondents to report information to the agency more often than quarterly;
- b. requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- c. requiring respondents to submit more than an original and two copies of any document;
- d. requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- e. in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- f. requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

- g. that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- h. requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

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 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 notice of proposed rulemaking on January 7, 2020. As part of that notice, NHTSA sought comment on the modification of this existing information collection (85 FR 7920). Although NHTSA received comments regarding the other information collection requirements for replica vehicles, the Agency did not receive any comments on the continued collection of part 566 information nor the addition of the new vehicle type to part 566 and the requirement for replica manufacturers to submit the required information electronically to facilitate the review of replica registration submissions. NHTSA is attaching a copy of the final rule that discusses the changes to part 566 (87 FR 13209, March 9, 2022).

To assist manufacturers in satisfying the part 566 requirements, NHTSA provides instructions in the New Manufacturers Handbook, which can be accessed on the agency's website at <https://vpic.nhtsa.dot.gov>. A description of the reporting requirement is included on pages 8 and 9 of the handbook. The online portal also provides an FAQ section to address manufacturers' most commonly asked questions about their submission requirements. If their question is not addressed in the FAQs, manufacturers may contact the NHTSA Manufacturer Helpdesk at manufacturerinfo@dot.gov or 1-888-399-3277.

NHTSA's helpdesk personnel regularly assist manufacturers with their part 566 submissions.

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

No payment or gift will be provided to any respondent in connection with this information collection.

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.

No assurance of confidentiality is given for the information collected under part 566. All information provided to NHTSA for part 566 purposes, consisting of the names and addresses of commercial entities and a description of the products they manufacture to the Federal motor vehicle safety standards, is considered public information. This precludes the need for any assurance of confidentiality to be given.

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.

The information which is requested of the manufacturer is not of a sensitive nature.

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.

NHTSA estimates that it will receive 1,407 part 566 submissions per year based on the number of submissions NHTSA received in 2017, 2018, and 2019² and accounting for an estimated additional 10 submissions a year from replica manufacturers. Although NHTSA has information from 2020, NHTSA believes using the information from 2017-2019 will result in more accurate estimates for the next three years due to the impact of the coronavirus disease 2019 (COVID-19) pandemic. NHTSA estimates that the 1,407

² In 2017, NHTSA received 1,666 part 566 submissions (1,021 from domestic manufacturers and 645 from foreign manufacturers). In 2018, NHTSA received 1,249 part 566 submissions (815 from domestic manufacturers and 434 from foreign manufacturers). In 2019, NHTSA received 1,275 part 566 submissions (840 from domestic manufacturers and 435 from foreign manufacturers). Therefore, over the last three years, NHTSA has received, on average, approximately 1,397 part 566 submissions per year.

part 566 submissions will be received from 1,263 different manufacturers³ and include both initial part 566 submissions and updated part 566 submissions. NHTSA estimates it will take manufacturers approximately 15 minutes to prepare and submit part 566 information. Therefore, NHTSA estimates the total burden associated with submitting Part 566 submissions will be 352 hours per year (1,407 submissions × 0.25 hours/request).

NHTSA estimates the labor cost associated with this collection of information by (1) applying the appropriate average hourly labor rate published by the Bureau of Labor Statistics (BLS), (2) dividing by 0.702⁴ (70.2%), for private industry workers to obtain the total cost of compensation, and (3) multiplying by the estimated burden hours for each respondent type. NHTSA estimates the hourly cost associated with submitting documentation under part 566 to be \$60.26⁵ per hour using the mean hourly wage estimate published by BLS for compliance officers in the motor vehicle manufacturing industry (Standard Occupational Classification # 13-1041). Therefore, NHTSA estimates that the total labor cost associated with 566 submissions is \$15.07 per submission for a total of \$21,212 per year for all submissions. Table 1 below provides a summary of the estimated burden hours and labor costs associated with those submissions.

Table 1: Estimated Burden Hours and Labor Costs

Number of Submissions (One-time Reporting)	Number of Respondents	Total Time per Response	Labor Cost per Hour	Total Labor Cost per Response	Estimated Total Annual Burden Hours	Estimated Annual Total Labor Costs
1,407	1,263	15 minutes	\$60.26	\$15.07	351.75 352 hours	\$21,211.52 \$21,212

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

NHTSA estimates that there will be no additional costs to respondents or recordkeepers because almost all respondents choose to submit information electronically. Therefore, there will be no associated costs attributable to printing or mailing submissions. This is a

³ Part 566 submissions were made by 1,409 different manufacturers in 2017; 1,169 different manufacturers in 2018; and 1,180 different manufacturers in 2019. Therefore, in the last three years, there have been, on average, approximately 1,253 part 566 respondents. NHTSA also is accounting for an estimated additional 10 submissions a year from replica manufacturers.

⁴ See Table 1. Employer Costs for Employee Compensation by ownership (June 2021), available at https://www.bls.gov/news.release/archives/ecec_06182020.pdf, last accessed October 15, 2021.

⁵ The hourly wage is estimated to be \$42.30 per hour. National Industry-Specific Occupational Employment and Wage Estimates NAICS 336100 - Motor Vehicle Manufacturing, May 2020, https://www.bls.gov/oes/current/naics4_336100.htm, last accessed October 15, 2021. The Bureau of Labor Statistics estimates that wages represent 70.2 percent of total compensation to private workers, on average. Therefore, NHTSA estimates the total hourly compensation cost to be \$60.26.

decrease of \$3,930 from the last request because NHTSA is no longer incorrectly including labor costs.

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.

As the information submitted under 49 CFR Part 566 is an integrated component of several data systems, NHTSA maintains a team of personnel who manage the program associated with the processing of manufacturer identifying information to meet timeliness, accuracy and quality requirements for public, industry and government needs. The team of federal personnel includes a senior program analyst GS-14 and two full time GS-4 office automation employees along with assigned contract personnel. The GS-4 office automation personnel receive a maximum annual salary of \$46,109⁶ each for processing these requests and contribute 100% and 50% of their time, respectively, in support of the program. The annual salary for these personnel is estimated at \$69,163.5. To estimate total compensation costs, NHTSA used the Bureau of Labor Statistics estimate that wages and salary only represent 61.7% of total employee compensation cost for State and local employees.⁷ Accordingly, NHTSA estimates the annual cost to the government for processing to be \$112,096.43. The senior program analyst assigned to the program is a GS-14 who serves as the oversight authority on the processing and acceptance of submissions; a contact point when routing unique cases to the compliance division; an industry expert for specific advanced questions; and the primary contracting officer representative (COR) for contract resources associated with the team, both for IT and process support. The senior staffer assigned to this program spends an estimated 7.5% of his time supporting and managing the 49 CFR Part 566 process. Based on a GS-14, step 6 salary of \$142,950,⁸ and accounting for the fact that NHTSA estimates that wage and salary only represent 61.7% of total compensation costs, NHTSA estimates that the cost for the senior staffer's responsibilities in overseeing the processing and acceptance of submissions, is \$17,376.42 annually.

In addition, supporting contract resources are used in the program to facilitate system management, workflow, helpdesk and data processing. It is important to note that NHTSA has employed contract resources to facilitate a full Tier 1 helpdesk for the program to ensure that manufacturers, data users and the general public have a proper contact point during normal business hours to support a quality customer service experience through the submission process when the limited federal staff are not

⁶ <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB.pdf>, last accessed October 15, 2021.

⁷ See Table 1. Employer Costs for Employee Compensation by ownership (June 2021), available at <https://www.bls.gov/news.release/pdf/ecec.pdf>, last accessed October 15, 2021.

⁸ <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB.pdf>, last accessed October 15, 2021.

available. This ensures the federal staff resource load is focused on the authoritative requirements inherent in the process versus general support needs that can be outsourced. Contract support resources for the 49 CFR part 566 program are estimated to cost \$110,000 annually to facilitate expedited processing to meet the needs of both industry and the government. Additional system operation and maintenance (O&M) costs are required to support the electronic system required to maintain the program, which includes server, application and data management costs.

Lastly, this program is supported by a shared service information technology (IT) application that is an integrated system and data component for several other processes throughout the agency. The investment that makes up the IT solution is a component-based platform of which the support piece that meets the 49 CFR Part 566 process is only a part. As a result, an estimated cost for O&M for this subcomponent for the required level of effort to maintain the IT system would be \$95,000 annually, which is a share of the overall IT investment and cannot be separated from the overall system maintenance requirement. This derives from the fact that the IT component for supporting 49 CFR Part 566 is not a standalone platform, but an integrated module in a larger system known as the Crash Data Acquisition Network (CDAN).

As a general rule, costs for contract resources and platform support vary because resource load to support submission review and acceptance is dependent upon the volume of receipts, which increases and decreases as industry changes and expands. In addition, there are routine technology changes based on needs and enhancements required for processes to ensure the data use and experiences of all users are improved and/or optimized to meet the current needs. With all these factors in mind, total annual costs for supporting the 49 CFR Part 566 program are estimated at \$334,472.85 based on current salary, technology and resource costs.

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 approval with modification to accommodate the following regulatory changes: (1) amending part 566 to include an additional vehicle type for replica motor vehicles; (2) amending part 566 to state that manufacturers may submit part 566 information electronically; and (3) amending part 566 to require replica manufacturers to submit part 566 information to allow NHTSA to ensure that replica manufacturers have complied with part 566 before submitting replica vehicle manufacturer registration information. This ICR is a request for reinstatement and therefore increases total burden by 352 hours and \$0. This is a difference of 221 hours (from 131 hours to 352 hours) from when NHTSA last sought approval. This increase is due to NHTSA's revised estimates of the number of part 566 submissions it will receive each year. This request also decreases cost by \$3,930 from the last request (\$3,930 to \$0) because NHTSA is no longer incorrectly including labor costs in response to question 13.

- 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.**

The information submitted under Part 566 is posted to the agency's website at <https://vpic.nhtsa.dot.gov>. It is not published in any other form.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

NHTSA is seeking to not display the expiration date in the regulation at 49 CFR part 566 because updating the expiration date in the regulation would require rulemaking action. However, the expiration date will be displayed on the portal where respondents will provide information (vPIC).

- 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.**

No exceptions to the certification statement are made.