

Information Collection Request Supporting Statements: Part A  
National Survey of the Use of Booster Seats  
OMB Control No. 2127-0644

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

The National Survey of the Use of Booster Seats (NSUBS) is a voluntary collection of restraint use information for children under 13. NSUBS is a biennial collection. Data collectors observe restraint use for all passenger vehicle occupants included in the survey and for those vehicles that voluntarily participate, the data collectors conduct a brief interview with the vehicle driver or other knowledgeable adult to determine the age, height, weight, race, and ethnicity of the child occupants and age of the driver. Data collectors do not collect personal identifying information such as names, addresses, phone number of participating vehicle occupants. Data collectors use paper forms to collect information at fast food restaurants, gas stations, day care centers, and recreation centers where vehicles are mostly likely to have child occupants. The contractor supplies an electronic file of the data collected to the National Highway Traffic Safety Administration (NHTSA). The contractor creates replicate weights, derives analytic variables, and adds auxiliary information on state laws.

NHTSA uses the NSUBS data to estimate booster seat use among 4- to 7-year-old children. It also estimates restraint use for all children under 13, race and ethnicity breakouts of restraint use among all occupants in a vehicle, and estimates the extent to which children are “prematurely transitioned” from one restraint type to others that are inappropriate for their age as well as height and weight. The survey produces biennial estimates of:

- Restraint use by Age Group
- Restraint use by Weight Group
- Restraint use by Height Group
- Restraint use by Office of Management and Budget (OMB) categories for Race/Ethnicity

NHTSA also asks the adult drivers their age to analyze the impact of driver age on driver seat belt use and child restraint use. NHTSA will tabulate the survey data, analyze the results, and publish the data in technical reports. NHTSA plans to release the results and the electronic file of the data collected to the public.

NHTSA uses the NSUBS information to design outreach programs to help ensure that more of the nation’s children are using restraints that will protect them in motor vehicle crashes. The survey data will allow programs to better reach the caretakers whose children are unrestrained or not using the best restraint choice for their children’s sizes. The findings may also be of interest to State legislatures wanting to strengthen their child restraint laws by enacting mandatory or enhanced booster seat use provisions.

The survey was previously approved as OMB Control No. 2127-0644 (current expiration date: June 30, 2022). The new collection will increase the number of respondents from 4,800 drivers to 5,300 drivers based on the average number of drivers interviewed over the last three surveys. This increases the burden hours by 36 hours (from 340 hours to 376 hours). NHTSA continues to estimate that there are no costs to respondents participating in the information collection.

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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.

## A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal and administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

NHTSA began conducting the NSUBS to respond to Section 14(i) of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act of 2000 (Pub. Law 106-414). That section directed the Department of Transportation to develop a 5-year plan to reduce by 25 percent the deaths and injuries among 4- to 8-year-olds caused by the failure to use a booster seat. In response, NHTSA began the NSUBS in 2006. Conducting the NSUBS provides the Department with invaluable information on who is and is not using booster seats and using them appropriately. NSUBS information helps the Department better direct its outreach programs to ensure that children are protected to the greatest degree possible when they ride in motor vehicles.

Among infants 0-12 months of age, the estimated restraint use was 97.5 percent in 2019; among children 1 to 3 years of age, the estimated restraint use was 94.3 percent<sup>2</sup>.

Unfortunately, similar progress has not been achieved where older child passengers (age 4 to 7 years old) are concerned. Booster seat use -- estimated at only 37.0 percent nationwide in the 2019 NSUBS-- remains unacceptably low. According to NHTSA's Fatality Analysis Reporting System (FARS), in 2019 there were 270 fatalities among booster-aged child passengers -- ages 4-7 (up from 257 in 2018). For those children ages 4-7 killed in 2017 (268 children, FARS 2017), and for whom restraint use is known, 36 percent were unrestrained<sup>3</sup>.

The TREAD Act and the 2002 Anton's Law (Pub. Law 107-318) directed NHTSA to conduct a range of initiatives, including rulemaking, compliance testing, and consumer education programs, to enhance the safety of older child passengers.

- 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.**

Data collectors observe restraint use for all passenger vehicle occupants included in the survey and for those vehicles that voluntarily participate, the data collectors conduct a brief interview with the vehicle driver or other knowledgeable adult to determine the age, height, weight, race, and ethnicity of the child occupants and age of driver. NHTSA staff will use the information collected by the survey to better design Agency outreach programs to help ensure that more of the Nation's children are using restraints that will protect them in motor vehicles crashes. The survey data will allow NHTSA to tailor programs to better reach the caretakers whose children are unrestrained or not using the best restraint choice for their children's sizes. The findings may also be of interest to State legislatures that are considering strengthening their child restraint laws by enacting mandatory or enhanced booster seat use provisions. All 50 States, the District of Columbia, and Puerto Rico have enacted statewide laws related to child passenger safety<sup>4</sup>.

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<sup>2</sup> The 2019 National Survey of the Use of Booster Seats, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813033>

<sup>3</sup> Children: 2017 data - Traffic Safety Facts, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812719>

<sup>4</sup> Governors Highway Safety Association: Child Passenger Safety available at <https://www.ghsa.org/state-laws/issues/child%20passenger%20safety>

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

This collection of information does not involve the use of such techniques or of other forms of information technology. NHTSA feels that for this biennial study the use of simple paper and pencil forms is cost effective and provides a less formal and more comfortable environment for the interviewed motorists. However, once all the data are collected NHTSA will receive an electronic file containing all the results of the survey. No electronic devices are used by the data gatherers, but NHTSA will receive all results in an electronic file.

- 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 is no duplication of effort in conducting the NSUBS. No existing survey or other data source provides probability-based observational data on booster seat and other child restraint use accompanied by interview data on child age and size. The Agency needs information (i.e., scientifically-based data obtained from observations/interviews of actual children in vehicles) to tailor child restraint programs effectively. NSUBS data are NHTSA's only source of restraint use data by self-reported OMB race and ethnicity categories.

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

The survey involves collecting data at fast food restaurants, gas stations, day care centers, and recreation centers. The program contacts potential survey sites in advance to see if they would be willing to voluntarily grant permission to have the survey conducted at their establishments. The program fully informs businesses as to the nature of the survey operations and the amount of time taken to conduct the survey at their establishments. The participating businesses supply no other services beyond providing a venue.

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If NHTSA does not collect this information, NHTSA will not have scientifically based information from actual motorists on the use of booster seats and other child restraints with which to better target Agency outreach efforts. Outreach programs would be less effective, resulting in more children suffering death or injury in crashes due to nonuse or misuse of child restraints than might have suffered this fate had outreach programs been more effective at reaching this at-risk population.

Up-to-date data on child restraint use are crucial to implementing effective child passenger outreach programs. NSUBS has been conducted during the following years 2006 – 2009 and every other year starting in 2011 through 2021. NHTSA expects to conduct the NSUBS again in 2023 and 2025.

There are no technical or legal obstacles to reducing the burden.

- 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 circumstances in this collection requiring information to be collected in a manner inconsistent with the guidelines in 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.**

NHTSA published a 60-day notice on February 16, 2022, requesting comments on NHTSA's intention to request approval from the Office of Management and Budget (OMB) for an extension of the currently approved NSUBS information collection (87 FR 8929). NHTSA received 3 comments. Two of the commentors expressed support to continue the NSUBS, while one commentor was against the continuation of the NSUBS. None of the comments require a revision of scope, costs, or burden hours.

Jean Publee commented against the continuation of the NSUBS. Publee states that NHTSA has collected the NSUBS for years and believes that the data collection should not go on without an end date. Publee states that the NSUBS is a waste of tax dollars. While NHTSA understands Publee's comments, NHTSA believes that the continuation of this data collection is necessary to support NHTSA's mission. The NSUBS is the only probability-based nationwide child restraint use survey in the United States that observes restraint use. Without this survey, NHTSA cannot direct outreach programs where they are most needed.

Safe Kids Worldwide supports the continuation of the NSUBS. Safe Kids Worldwide uses the information collected in NSUBS to develop and advocate policy around child safety in cars.

SafetyBeltSafe U.S.A. (SBS USA) supports the continuation of the NSUBS, but states that in addition to what NSUBS already collects they would like more detailed data reporting. SBS USA mentions that 16 States and DC mandate rear-facing car seats until age 2. SBS USA wants to know if these laws are working in States with these requirements vs. States without these requirements. NHTSA does not collect data in every State and applies sampling weights to produce nationally representative estimates; however, NHTSA will consider this suggestion and determine if the current sample design will allow reporting of usage rate based on child restraint laws. SBS USA is concerned about booster seat usages vs. booster seat need especially for children 8- to 12- years old. SBS USA suggests having parents with children using seat belts to conduct the 5-Step Test on the children and record results. The NSUBS is intended to allow NHTSA to assess the extent to which children are prematurely transitioned to restraint types that are inappropriate for their age, height, and weight. The data collectors have a limited amount

of time to visually inspect restraint usage and interview drivers. At this time adding the 5-Step Test is time prohibitive and out-of-scope for NSUBS. NHTSA does record the age of interviewed children and will consider breaking out data based on the age range of 8-9 and 10-12 as it might provide more insight into how older and younger kids in the 8-12 age range are transitioned to different restraint types.

NHTSA published a 30-day notice on May 18, 2022 requesting comment on NHTSA’s intention to submit this ICR to OMB for approval (87 FR Doc. 2022-10629, Volume 87, Number 76, Pages 30328-30330).

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

NHTSA does not provide payments or gifts to respondents. However, NHTSA provides brochures to drivers about child passenger safety and stickers to all children sampled in this study.

**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.**

Our data collectors will inform each respondent at the data collection sites that no personally identifying information will be collected. NHTSA plans to release the results and the electronic file of the data collected to the public.

**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 survey will not collect such information.

**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 the data collection will on average take approximately 4.25 minutes of a respondent’s time. A respondent in this case is an adult motorist supplying information on children in their vehicle. Therefore, NHTSA estimates the total burden for the 5,300 respondents to be 376 hours, rounded up for convenience ((4.25 minutes × 5,300 respondents) ÷ 60 min/hr = 375.42 hours). Since NSUBS data are collected biennially, dividing the 376 total burden hours by two yields an annual burden of 188 hours.

**Table 1: Hour Burden Estimates**

Responses per Survey	Estimated Burden Per Response	Total Burden Hours per Survey	Total Annual Responses	Total Annual Burden Hours
5,300	4.25 minutes	376 hours	<b>2,650</b>	<b>188 hours</b>

To represent the value of the respondents’ time, NHTSA uses the average hourly wage for the United States, which is estimated to be \$27.07.<sup>5</sup> Using this estimate, NHTSA estimates the total opportunity costs to respondents to be \$10,178.32 (376 × \$27.07) or \$5,089.16 annually.

<sup>5</sup> U.S. Dept. of Labor, Bureau of Labor Statistics, June 2021, from [https://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](https://www.bls.gov/oes/current/oes_nat.htm#00-0000) for May 2020

**Table 2: Opportunity Costs Estimates**

Responses per Survey	Estimated Burden Per Response	Average Hourly Opportunity Cost	Opportunity Cost Per Response	Total Burden Hours per Survey	Total Opportunity Cost per Survey	Total Annual Opportunity Cost
5,300	4.25 minutes	\$27.07	\$1.92	376 hours	\$10,178.32	<b>\$5,089.16</b>

**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.**

Participation in this study is voluntary, and there are no costs to respondents beyond the time spent taking part in the survey. There are no record keepers for this survey.

**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 total annual costs to the Federal government for this survey are estimated to be \$1,087,978.75. This consists of an estimated survey cost of \$1,083,600. This estimate reflects the total survey cost, including the costs to design the survey, conduct the survey, and analyze the results. An estimated additional \$4,378.75 is needed to cover the NHTSA staff hours to oversee the survey. NHTSA staff spends approximately 155 hours on procurement request, reviewing technical and cost proposals, kick-off, ad-hoc and internal meetings, verifying delivers, and attending training and presentations. Annualized, that is 77.5 hours times the weighted hourly rate for a GS 11-1 (\$34.86).<sup>6</sup> 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.<sup>7</sup> Therefore, the hourly compensation cost is \$56.50.

**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.**

Since NHTSA last sought approval, the only change to the information collection is an adjustment by increasing the number of respondents (from 4,800 to 5,300) and the associated of 36 burden hours (from 340 hours to 376 hours). The number of respondents was previously estimated as approximately 4,800 drivers. However, because of the nature of this survey, the number of respondents can vary from year to year. The average number of drivers interviewed over the last three surveys was 5,300 respondents. This adjustment increases the burden hours by 36 hours, from 340 hours to 376 hours.

**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.**

<sup>6</sup> [Pay & Leave : Salaries & Wages - OPM.gov](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/)

<sup>7</sup> 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.

NHTSA will tabulate the survey data, analyze the results, and publish the data in a series of annual technical reports. Collection of the NSUBS data typically occurs biennially in July following the Click It or Ticket campaign. The results will be analyzed and presented via publications released in approximately January of the following year. Anyone can obtain these publications at the following location: <https://crashstats.nhtsa.dot.gov>. An electronic file of the data collected will also be released to the public.

**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.**

The data collectors display the OMB approval and its expiration date along with the PRA Burden Statement on the interview forms.

**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.<sup>8</sup>**

NHTSA is not making an exception to any of the items in the certification statement.

**Attachments:**

Section 14(i) of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act of 2000 (Pub. Law 106-414)

Anton's Law (Pub. Law 107-318)

Interview forms

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<sup>8</sup> 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 2127-0644. Public reporting for this collection of information is estimated to be approximately (5) minutes per response, including the time for reviewing instructions, completing, and reviewing the collection of information. All responses to this collection of information are voluntary. 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.