

Information Collect Request Supporting Statement A
Uniform Procedures for State Highway Safety Grant Programs
OMB Control Number 2127-0760

Abstract:¹

This is to request approval of a new information collection request (ICR) titled “Uniform Procedures for State Highway Safety Grant Programs”. The purpose of the information collection is to collect information necessary for NHTSA to issue grants to States. This ICR is being submitted as part of a rulemaking to establish new uniform procedures for States to apply for and manage grants under Chapter 4 of Title 23, U.S.C., including State highway safety program grants, the National Priority Safety Program grants, and racial profiling data collection grants. On September 15, 2022, NHTSA published a notice of proposed rulemaking (NPRM) in accordance with the Infrastructure Investment and Jobs Act (IIJA, also referred to as the Bipartisan Infrastructure Law, or BIL). Once the rulemaking is completed, this ICR would replace NHTSA’s existing ICR with OMB Control Number 2127-0730, for which we would seek discontinuance.

This ICR covers 5 information collections. These include: (1) the submission of a triennial Highway Safety Plan (HSP); (2) the submission of an annual application; (3) the submission of an annual report; (4) responses provided by States who wish to apply for 405b funds using the occupant protection assessment criterion; and (5) responses provided by States who wish to apply for 405d funds using the impaired driving assessment criterion.

To receive grants, a State must submit a triennial Highway Safety Plan (HSP) that supports its qualifications for receiving grant funds. Specifically, the triennial HSP consists of information on the highway safety planning process, performance plan, highway safety countermeasure strategies for programming funds, a performance report, and certifications and assurances. Separately, an annual application is required to provide the project level detail in support of the triennial HSP and application materials that cover Section 405 and 1906 grants. States must also submit an annual report evaluating their progress in achieving performance targets and providing information about activities implemented during the grant year within 120 days after the fiscal year end.

Responding to the information collection would be 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 triennial HSP is submitted once every three years, and the grant application is submitted annually. States must also submit an annual report. In addition, as part of the statutory criteria for Section 405 grants covering the areas of occupant protection and impaired driving countermeasures, some States may choose to, or be required to, receive an assessment of their State programs every five years in order to

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.

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, 65 subject matter experts will conduct 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 volunteer to become assessors and are provided payment for their time.

As explained in more detail below, the estimated annual burden hours averaged over the triennial cycle for all State respondents is 36,736 hours and a total cost of \$1,896,739.68.

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 Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-58, (also referred to as the Bipartisan Infrastructure Law (BIL)), authorizes the National Highway Traffic Safety Administration (NHTSA) to issue highway safety grants to States under Chapter 4 of Title 23, U.S.C. Specifically, 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 Section 1906, racial profiling data collection grants.

Consistent with the statute, NHTSA published a notice of proposed rulemaking that lays out the new triennial framework for States to apply for grant funds. In order to meet the statutory requirements, a State will be required to submit a triennial Highway Safety Plan (HSP) that serves as the planning document for a State's highway safety program over a three-year period. The triennial HSP submission deadline is July 1, 2023, and once every three years thereafter. Specifically, the triennial HSP consists of information on the highway safety planning process and problem identification, public engagement efforts, performance plan, countermeasure strategies for programming funds, and a performance report. States will also separately submit an annual grant application that provides any necessary updates to the last triennial HSP, lists specific projects that the State will fund in support of its triennial HSP, and application materials for Section 405 and Section 1906 grants. Annual grant applications are due by August 1 of each year, starting in 2023. States also must submit an annual report evaluating their progress in achieving performance targets and information on activities implemented during the grant year. In addition, as part of the statutory criteria for Section 405 grants covering the areas of occupant protection and impaired driving countermeasures, States may be required to, or may choose 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. The authorizing statute (23 U.S.C. §402) requires States to submit a triennial 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 description of the State's public participation and engagement; (3) a performance plan containing quantifiable and measurable highway safety performance targets, including performance measures that are used as a basis for the development of the performance targets; (4) a description of the State's countermeasure strategies for programming funds; and (5) a performance report that describes the State's success in meeting State performance targets.

b. Annual Application:

The annual application supports the triennial HSP by providing any necessary updates to the triennial HSP and information about the projects and subrecipients to be funded during the fiscal year. The annual application will also include the State's applications for grants under the Section 405 and Section 1906 grant programs (see below), as well as certifications and assurances signed by the Governor's Representative for Highway Safety, indicating that the State will comply with applicable laws and regulations.

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

The National Priority Safety Program Grants section of the BIL includes eight 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; (2) State traffic safety information system improvements; (3) impaired driving countermeasures; (4) distracted driving; (5) motorcyclist safety; (6) nonmotorized safety; (7) preventing roadside deaths; and (8) driver and officer safety education.

- 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 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 certifies that it: (1) has a functioning traffic records coordinating committee (TRCC) that meets three times a year; (2) has designated a traffic records coordinating committee coordinator; and (3) has established a traffic records strategic plan that describes specific, quantifiable, and measurable improvements to its safety databases. The State must also submit documentation that demonstrates quantitative improvement in the data attributes of accuracy, completeness, timeliness, uniformity, accessibility, or integration of a core highway safety database.

- 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. Depending on the impaired driving fatality rate and the criteria the State chooses to submit, States will be required to submit additional information indicating compliance with certain statutorily-specified requirements.

- iv. Distracted driving grants: The purpose of this program is to encourage States to include distracted driving awareness as part of the driver's license examination and to enact and enforce distracted driving legislation.

A State may qualify for a distracted driving grant by including questions related to distracted driving awareness as part of the State driver's license examination; or by having a law that prohibits texting while driving, handheld phone use while driving, or youth cell phone use while driving. Depending on which criteria a State chooses to apply under, States will be required to submit additional information indicating compliance.

- 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 submitting information demonstrating that it meets two of the seven 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) having a law that requires the use of a helmet for motorcycle riders under the age of 18; (4) achieving a reduction in fatalities and crashes involving motorcycles from a prior year; (5) conducting a statewide program to reduce impaired motorcycle operation; (6) achieving a reduction in fatalities and accidents involving impaired motorcyclists from a prior year; and (7) using all fees collected from motorcyclists for the purpose of funding motorcycle training and safety programs..

- vi. 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). A State must submit project and subrecipient information for the activities that the State plans to conduct using nonmotorized safety grant funds during the fiscal year.

- vii. Preventing roadside deaths: The purpose of this program is to encourage States to develop and implement a program to prevent death and injury from crashes involving motor vehicles striking other vehicles and individuals stopped at the roadside.

A State may qualify for a grant by providing a plan that describes how the State will use grant funds to meet performance targets under the grant.

- viii. Driver and officer safety education: The purpose of this program is to award grants to States that enact and enforce a law or adopt and implement programs that include certain information on law enforcement practices during traffic stops in driver education and training programs for peace officers on proper interaction with civilians during traffic stops.

A State may qualify for a grant by submitting additional information indicating compliance.

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

The purpose of the Section 1906 grant program 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, or by providing

assurances that the State will undertake activities to do so and provide a list of projects to support such assurances.

e. 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 and providing an end-of-year activity report. This information is necessary to satisfy statutory requirements, assess performance, and ensure States carried out activities for which they provided assurances in their grant applications. The annual report provides an assessment of the State's progress in achieving performance targets identified in the most recently submitted triennial HSP, as updated in the annual grant application, based on the most currently available data. The performance report section includes an explanation of the extent to which the State's progress in achieving those targets aligns with the triennial HSP and a description of how the projects funded under the prior year annual grant application contributed to meeting the State's highway safety performance targets. It also includes a description of how the State will adjust its upcoming HSP to better meet performance targets if a State has not met or is not on track to meet them. In the activity report section, States must include for each countermeasure strategy, a description of the projects and activities funded and implemented under the prior year annual grant application, including: the amount and location of Federal funds committed and expended, an explanation of reasons for projects that were not implemented; and a description of how the projects were informed by meaningful public participation and engagement in the planning processes described in the State's triennial HSP. Additionally, State's must describe their evidence-based enforcement program activities, including discussion of community collaboration and data collection efforts and include information regarding mobilization participation.

f. Assessments

States may be required to or, in some cases, may choose to receive an assessment of certain covered programs in order to be eligible for the occupant protection and impaired driving countermeasures grants under Section 405.² In these assessments, State programs are assessed against uniform guidelines by a team of subject matter experts.³ States provide written materials to the assessment team and participate in interviews as part of the process. 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

² 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 five 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 impaired driving countermeasures grants, a State with high average impaired driving fatality rates must have an assessment of its impaired driving program once every 5 years in order to receive a grant (23 U.S.C. § 405(d)(3)(C)(i)(I)).

³ The Uniform Guidelines for State Highway Safety Programs are available online at <https://one.nhtsa.gov/nhtsa/whatsup/tea21/tea21programs/index.htm>.

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 triennial 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 problems, conduct public engagement efforts, and develop performance targets and countermeasure strategies for programming funds in order to meet those targets. For Section 405, the State would identify the grants and the specific criteria for each grant under which it seeks to qualify and would 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 and provide a valuable basis for informing program improvements.

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 triennial Highway Safety Plans (triennial HSP), annual grant applications and annual reports are currently submitted to NHTSA electronically via email. NHTSA plans to implement an e-grants system which will automate some aspects of the process in the future.

The program assessments are conducted using a variety of technologies. The occupant protection assessments are mostly being held virtually via video conferencing. Assessment materials for the SMEs to review ahead of time are transmitted via email. For the impaired driving assessments, initial responses are captured in an electronic system developed by NHTSA which manages invitations to participants, allows for responses to questions, submittal of files, and general communication. The final report is also provided via the system.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

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 proposed 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.

As described above, this collection of information occurs every three years, annually or, for assessments (as directed in statute), on a five-year basis. Federal law requires the submission of this information in order to determine whether States qualify for grants each fiscal year and to fulfill Federal awarding agency oversight responsibilities.⁴ 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 qualify 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;
- 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).

⁴ 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).

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 Notice for Proposed Rule Making (NPRM) in the Federal Register (87 FR 56756; Docket Number: NHTSA-2022-0036; RIN: 2127-AM45) on September 15, 2022 requesting public comment and providing a 45-day comment period. Content in this PRA and the Final Rule reflect comments from three public hearings, comments to the docket (Docket Number NHTSA-2022-0036) and the comments from the NPRM.

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.

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:⁵

⁵ 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.

- 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 Motorcyclist Safety 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 Motorcyclist Safety 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:⁶

- Section 405, Occupant Protection Grants, 9 assessments.
- Section 405, Impaired Driving Countermeasures Grants, 4 assessments.

The estimated annual burden hours averaged over the triennial cycle for each respondent is 523.3 hours, with no more than 176 additional hours if the respondent submits two assessments in a given year. The estimated annual burden hours for each respondent in the first year of the triennial cycle is 670 hours and the estimated annual burden hours for each respondent in the second and third years of the cycle is 450 hours per year. To estimate annual burden hours for each respondent, the agency has added the burden hours for the Section 402 Program, the Section 405 and Section 1906 Program and the annual reports. For each Section 405 assessment submitted by a respondent (no more than 2 assessments in a five-year period), an additional 88 hours should be added.

Based on the above information, the estimated annual burden hours averaged over the triennial cycle for all State respondents is 30,704 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 \$34.15.⁷ The Bureau of Labor Statistics estimates that wages for State and local government workers represent 61.9% of total compensation costs.⁸ Therefore, NHTSA estimates the hourly labor costs to be \$55.17 and estimates that hourly labor cost

⁶ 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.

⁷ See May 2021 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 999200 – State Government excluding schools and hospitals, available at https://www.bls.gov/oes/current/naics4_999200.htm (accessed June 27, 2022).

⁸ See Table 1. Employer Costs for Employee Compensation by ownership, available at <https://www.bls.gov/news.release/ecec.t01.htm>.

associated with preparing materials to be a maximum of \$38,580.381 averaged over the triennial cycle per respondent.⁹

The estimated cost averaged over the triennial cycle for each respondent is \$28,870.461, with up to an additional \$9,709.92 if the respondent submits two Section 405 assessments. The estimated total cost averaged over the triennial cycle for all respondents is \$1,693,939.68 per year. See Table 1 below for a summary of estimated annual burden hours averaged over a three-year cycle and estimated labor costs.

Table 1: Estimated Average Burden Hours and Labor Costs for State Respondents, averaged over the triennial cycle

Information Collection	Number of Respondents	Burden Hours Per Respondent	Hourly Labor Costs	Total Labor Costs	Total Burden Hours
Section 402 triennial HSP	57	86.666666	\$55.17	\$272,539.80	4,940
Annual Grant Application	57	86.666666	\$55.17	\$272,539.80	4,940
405 and 1906 Grant Applications	56	270	\$55.17	\$834,170.40	15,120
Annual Report	57	80	\$55.17	\$251,575.20	4,560
405b Assessment	9	88	\$55.17	\$43,694.64	792
405d Assessment	4	88	\$55.17	\$19,419.84	352
Totals:				\$1,693,939.68	30,704 hours

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. Similarly, under Section 405 grants, some requirements allow States to submit a criteria covering multiple years, allowing States to simply resubmit existing materials in subsequent years, and, as stated above, not all States complete Section 405 assessments.

Total Burden Estimates:

Accordingly, NHTSA estimates the total burden hours for this information collection request is 30,704 hours and the associated labor costs is estimated to be \$1,693,393.68.

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, described above in question 12, his 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

⁹ This amount includes both the \$28,870.461 required of all State applicants, as well as the maximum of \$9,709.92 if the applicant completes both assessments during the three-year period.

\$15,600 per assessment, totaling \$202,800 based on the average estimated number of assessments (13) conducted each year for these programs.

NHTSA estimates that there will be a total of 78 subject matter expert respondents per year. NHTSA estimates that, on average, 65 subject matter experts will conduct State assessments each year, and those assessments will be coordinated by 13 administrative assistants. The subject matter experts are either recruited by NHTSA or the States volunteer to become assessors 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, 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 $((5 \text{ SME} \times 80 \text{ hours} \times 9 \text{ assessments}) + (1 \text{ Admin} \times 64 \text{ hours} \times 9 \text{ assessments}))$ and the total annual burden for Section 405d (impaired driving) assessment subject matter experts to be 1,856 hours $((5 \text{ SME} \times 80 \text{ hours} \times 4 \text{ assessments}) + (1 \text{ Admin} \times 64 \text{ hours} \times 4 \text{ assessments}))$.

Based on the above information, the estimated annual burden hours for all Subject Matter Expert Respondents is 6,032 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. The total costs associated with burden hours for all Subject Matter Expert Respondents would be \$202,800. 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	Number of Assessments	Burden Hours Per	Hourly Labor Costs	Total Labor Costs	Total Burden
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	Per Assessment	Per Year	Respondent			Hours
405b Assessment	5 SME 1 Admin	9	80 64	\$33.75 \$32.80	\$121,500 \$18,900	3,600 576
405d Assessment	5 SME 1 Admin	4	80 64	\$33.75 \$32.80	\$54,000 \$8,400	1,600 256
Total:					\$202,800	6,032 hours

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 including fringe benefits is \$85.11 (\$60.83¹⁰+ 39.92% fringe benefits). NHTSA estimates that it spends approximately 108 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 \$523,937.16 (57 State respondents × 108 hours × 85.11per/hour). IT costs related to the application review process are of minimal burden to NHTSA as they are part of existing costs to the agency. However, NHTSA is looking further into the distribution of IT/administrative support costs for email, file storage and web posting to develop a more accurate estimate.

Additionally, NHTSA is required to post triennial highway safety plans and annual reports on its website. Prior to posting, documents must be tagged for 508 compliance. NHTSA estimates that it spends 240 hours to tag all triennial HSPs and another 8 hours to post them on the agency website. Annually the cost associated with posting triennial HSPs is \$21,107.28 (248 × 85.11 per/hour). Averaged over a three-year period, this cost would be \$7,035.76. Annual reports also require 240 hours of tagging and an additional 8 hours to post. Annual costs for tagging and posting the annual reports is \$21,107.28 (93.5 × 85.11 per/hour). Total costs to the Federal Government for these activities is \$28,143.04.

Finally, 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. IT costs related to the submission of responses are based on maintenance costs for the assessment system developed for NHTSA which is approximately \$8,000 per year.

¹⁰ 2023 General Schedule hourly rate with Washington DC locality pay: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB_h.pdf. Accessed 01/5/2023.

The overall estimated annualized cost to the Federal Government is \$582,830.20.

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 of a new collection. Therefore, the annual burden for this ICR is 36,736 hours and a total cost of \$1,896,739.68.

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

In response to IIJA, NHTSA plans to create a public website for public transparency where triennial Highway Safety Plans, performance targets, program area expenditures and non-federal costs, project level information, and annual reports will be posted. Assessment reports are disclosed only at the discretion of the State.

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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