

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2001-9779; Notice 3]

**Reports, Forms and Record Keeping Requirements, Agency Information Collection Activity Under OMB Review****AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.**ACTION:** Notice.

**SUMMARY:** Before a Federal agency can collect certain information from the public, the agency must receive approval from the Office of Management and Budget ("OMB"). Under procedures established by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. In compliance with the Paperwork Reduction Act of 1995, this notice describes one collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be submitted on or before May 14, 2007.

**ADDRESSES:** Comments must refer to the docket number cited at the beginning of this notice and be submitted to Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Please identify the proposed collection of information for which a comment is provided by addressing its OMB Clearance Number. You may also submit your comments to the docket electronically. Documents may be filed electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help & Information" or "Help/Info" to obtain instructions for filing the document electronically.

You may call Docket Management at 202-366-9324. You may visit the Docket from 10 a.m. to 5 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** For questions contact Michael Kido in the Office of the Chief Counsel at the National Highway Traffic Safety Administration, telephone (202) 366-5263. Please identify the relevant collection of information by referring to its OMB Clearance Number.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day

comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

**Criminal Penalty Safe Harbor Provision**

*Type of Request*—Extension of clearance.

*OMB Clearance Number*—2127-0609.

*Form Number*—This collection of information uses no standard forms.

*Requested Expiration Date of Approval*—Three (3) years from the date of approval of the collection.

*Summary of the Collection of Information*—Each person seeking safe harbor protection from criminal penalties under 49 U.S.C. 30170 related to an improper report or failure to report is required to submit the following information to NHTSA: (1) A signed and dated document that identifies (a) each previous improper report and each failure to report as required under 49 U.S.C. 30166, including a regulation, requirement, request or order issued thereunder, for which protection is sought and (b) the specific predicate under which the improper or omitted report should have been provided; and (2) the complete and correct information that was required to be submitted but was improperly submitted or was not previously submitted, including relevant documents that were not previously submitted to NHTSA or, if the person cannot do so, provide a detailed description of that information and/or the content of those documents

and the reason why the individual cannot provide them to NHTSA. *See* 49 U.S.C. 30170(a)(2) and 49 CFR 578.7. *See also*, 66 FR 38380 (July 24, 2001) (safe harbor final rule) and 65 FR 81414 (Dec. 26, 2000) (safe harbor interim final rule).

*Description of the Need for the Information and Use of the Information*—This information collection was mandated by Section 5 of the Transportation Recall Enhancement, Accountability, and Documentation Act, codified at 49 U.S.C. 30170(a)(2). The information collected will provide NHTSA with information the agency should have received previously and will also promptly provide the agency with correct information to do its analyses, such as, for example, conducting tests or drawing conclusions about possible safety-related defects. NHTSA anticipates using this information to help it to accomplish its statutory assignment of identifying safety-related defects in motor vehicles and motor vehicle equipment and, when appropriate, seeking safety recalls.

*Description of the Likely Respondents, Including Estimated Number and Proposed Frequency of Response to the Collection of Information*—This collection of information applies to any person who seeks a "safe harbor" from potential criminal liability for knowingly and willfully acting with the specific intention of misleading the Secretary by an act or omission that violates section 1001 of title 18 with respect to the reporting requirements of 49 U.S.C. 30166, regarding a safety-related defect in motor vehicles or motor vehicle equipment that caused death or serious bodily injury to an individual. Thus, the collection of information applies to the manufacturers, and any officers or employees thereof, who respond or have a duty to respond to an information provision requirement pursuant to 49 U.S.C. 30166 or a regulation, requirement, request or order issued thereunder.

We believe that there will be very few criminal prosecutions under section 30170, given its elements. Since the safe harbor related rule has been in place, the agency has not received any reports. Accordingly, it is not likely to be a substantial motivating force for a submission of a proper report. We estimate that no more than one such person a year would invoke this new collection of information, and we do not anticipate receiving more than one report a year from any particular person.

*Estimate of the Total Annual Reporting and Recordkeeping Burdens*

*Resulting from the Collection of Information*—2 hours.

As stated before, we estimate that no more than one person a year would be subject to this new collection of information. Incrementally, we estimate that on average it will take no longer than two hours for a person to compile and submit the information we are requiring to be reported. Therefore, the total burden hours on the public per year is estimated to be a maximum of two hours.

Since nothing in the rule requires those persons who submit reports pursuant to this rule to keep copies of any records or reports submitted to us, recordkeeping costs imposed would be zero hours and zero costs.

**Authority:** 44 U.S.C. 3506; delegation of authority at 49 CFR 1.50.

Issued on: March 8, 2007.

**Anthony M. Cooke,**  
Chief Counsel.

[FR Doc. E7-4582 Filed 3-13-07; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA-2007-27523]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. This document describes one collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before May 14, 2007.

**ADDRESSES:** Direct all written comments to U.S. Department of Transportation Dockets, 400 Seventh Street SW., 401, Washington, DC 20590. Docket No. NHTSA-2007-27523.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laurie Flaherty, Program Analyst, Office of Emergency Medical Services, National Highway Traffic Safety

Administration, 400 Seventh Street SW, NTI-140, Room 5130, Washington, DC 20590. (202) 366-2705 or via e-mail at [laurie.flaherty@dot.gov](mailto:laurie.flaherty@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60 day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses. In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

#### Request for Information, National E9-1-1 Implementation Coordination Office (National 9-1-1 Office)

**Type of Request**—New information collection requirement.

**OMB Clearance Number**—N/A.

**FORM Number**—This collection of information uses no standard forms.

**Requested Expiration Date of Approval**—Three years from date of approval.

**Summary of the Collection of Information**—NHTSA, in cooperation with the National Telecommunications and Information Administration (NTIA), (Department of Commerce), is proposing to issue annual RFIs, seeking comments from all sources (public, private, governmental, academic, professional, public interest groups, and other interested parties) on operational priorities for the National Enhanced 9-1-1 Implementation Coordination Office (National 9-1-1 Office). The National 9-

1-1 Office was established by NHTSA and NTIA as directed by the Ensuring Needed Help Arrives Near Callers Employing 911 Act of 2004 (ENHANCE 911 Act of 2004), 47 U.S.C. 942.

The ENHANCE 911 Act of 2004 authorized two fundamental changes in Federal 9-1-1 responsibilities:

- Formal program and policy coordination across Federal agencies.
- Federal support to Public Safety Answering Points and related State and local agencies for E9-1-1 deployment and operations.

Congress stated the importance of enhanced 9-1-1 service in the Act, finding that "enhanced 911 is a high national priority and it requires Federal leadership, working in cooperation with State and local governments and with the numerous organizations dedicated to delivering emergency communications services." NHTSA and NTIA intend to use the National 9-1-1 Office to work cooperatively with public and private 9-1-1 stakeholders to establish a vision for the future of 9-1-1 services in the Nation. The RFIs will solicit comments on the priorities and strategies of the National 9-1-1 Office to accomplish its functions, goals and vision. In addition, the RFIs will obtain expressions of interest in participating as partners and will request responses to specific questions, including critical 9-1-1 issues, benefits to stakeholders, available data and methods of collection, etc. These RFIs will NOT seek comment on the grant program authorized to be administered by the National 9-1-1 Office. The RFIs will not include requests for proposals or invitations for bids.

Description of the Need for the Information and Proposed Use of the Information—The 9-1-1 constituency is a diverse group of entities, including:

#### Government Agencies:

- Local, State and Federal policy, regulation, and funding agencies
- Local and State emergency communications agencies
- Local, State and Federal emergency response agencies

#### Non-Governmental Organizations:

- Professional and industry associations
- Standards Development Organizations
- Citizen and special interest advocacy organizations
- Private emergency response and recovery organizations
- Research and academic organizations

#### IT/Telecommunications Service

#### Providers:

- "Traditional" telecommunication service providers