

SUPPORTING STATEMENT FOR
State Registration Data
OMB Control No.: 1625--NEW
COLLECTION INSTRUMENT(S): Instruction, CGHQ-3923

A. Justification

1) Circumstances which make the collection of information necessary.

46 USC 12302 describes the requirement to create a standard numbering system. 46 USC 6102 describes the requirement to provide statistics and recommendations based on a marine casualty reporting system. The collection of vessel registration data accomplishes this goal by creating a means to measure casualty rates. Registration data will serve as the denominator of fatality rates (expressed in x deaths per 100,000 registered vessels). The existence of registration data will allow the Coast Guard to normalize data and provide meaningful statistics and recommendations for the National Recreational Boating Safety (RBS) Program.

2) Purpose of the information collection.

Registration information is most frequently requested by federal sources and by the marine industry. The Coast Guard will use this information for the primary purpose of measuring fatality rates. It will be used by the Department of the Treasury for the purpose of calculating financial allocations of trust fund money. With respect to marine industry, a manufacturing association and boating safety product marketers may request the information to gauge market dynamics.

In the very least, registration data will be published in an annual Recreational Boating Statistics report, a Coast Guard-produced publication that provides tables of information about recreational boating. The report will be posted to the Coast Guard's Boating Safety website, will be downloadable, and will be free to share. The Coast Guard will also provide numerical information to a distribution list of interested individuals.

3) Considerations of the use of improved technology.

The data collection will not involve an automated collection. Further, the Coast Guard will not dictate that the States use a particular system to collect their registration data.

4) Efforts to identify duplication.

In this information collection, the Coast Guard will not receive records reflecting individual boat owners so the Coast Guard cannot identify duplication. The Coast Guard will question the State if there is a significant change in registration numbers.

5) Methods used to minimize the burdens to small business if involved.

This information collection does not have an impact on small businesses or other small entities.

6) Consequences to the Federal program or policy if collection were conducted less frequently.

The Coast Guard will be severely limited in its ability to measure risk, as registration data will be used to calculate fatality rates. Further, the data provided from this collection effort will provide necessary input to the Department of the Treasury for use in the formulas to determine tax revenues that fund the Sport Fish Restoration and Boating Trust Fund.

7) Special collection circumstances.

This information collection will be conducted in manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8) Consultation.

The Coast Guard previously published two, 60-day notices (79 FR 60483, October 7, 2014, and 81 FR 85987, November 29, 2016) and one, 30-day notice (83 FR 54128, October 26, 2018) required by 44 U.S.C. 3506(c)(2). Those three notices elicited ten public comment submissions. Following this paragraph, we list the specific concerns or questions raised in those ten submissions. We also list the comments and questions we received from Coast Guard staff that may be helpful to clarify for the public. Following the comment description, we provide our updated responses, including descriptions of any changes we made to the ICR and forms.

Comment (1): A requestor asks the Coast Guard to consider mandating to states that personal watercraft (PWC) data collection is separately maintained. This will ensure accuracy in the entirety of boat classification data collection and significantly aid PWC manufacturers in market assessment.

Answer: The Coast Guard will collect statistics on personal watercraft by length category.

Comment (2): A commenter stated that the Coast Guard's tabulation of State numbered vessels as a result of this Information Collection Request (ICR) cannot be used to measure risk as stated in the supplemental Paperwork Reduction Act submission that accompanies this ICR, especially since there are numerous recreational boating accidents and fatalities that occur in vessels not required to be numbered and not reflected in this collection of information.

Answer: Information in the proposed collection will be used to measure risk; Registration data will serve as the denominator of fatality rates (expressed in number of deaths per 100,000 registered vessels). The existence of registration data will allow the Coast Guard to normalize data and provide meaningful statistics and recommendations for the National Recreational Boating Safety (RBS) Program. The collection will break down registration by motorization so that an additional measure, motorized vessel fatality rate, could be used (number of deaths on motorized vessels per 100,000 motorized registered vessels). This measure would provide a much sounder denominator since all States do not collect registration data on non-motorized vessels.

Comment (3): A commenter noted that in accordance with 33 CFR 174.123, each State that has an approved numbering system must prepare and submit Coast Guard form CGHQ-3923, Report of Certificates of Number Issued to Boats, to the Coast Guard. Although OMB No. 1625--NEW reflects the revised vessel type terminology resulting from the Coast Guard's 2012 issuance of the Final Rule on Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database (Docket No. USCG-2003-14963), it does not accurately reflect the CFR's terminology in its title or instructions (i.e., all references to the approved numbering system, state numbered boats and certificates of number have been replaced with registrations and registered).

Answer: The Coast Guard issued a technical amendment to 33 CFR 174.123 to eliminate the form title.

Comment (4): A commenter noted that OMB No. 1625--NEW is dated June 2014, inferring that is already in use (or may be required for use). Because States are currently in various stages of implementation of the Final Rule (with final implementation required by January 1, 2017), States cannot be compelled to begin using OMB No. 1625--NEW prior to January 1, 2017. Any required deviation from the use of CGHQ-3923 prior to January 1, 2017, will result in additional (and in some cases, significant) burden and cost to the States.

Answer: The June 2014 date was filled in as a placeholder. The form was drafted and sent for comment early so that the public could comment on the proposed content, and the States could prepare for changes after the data collection is finalized.

Comment (5): At this time, the state of Ohio is still in the process of transitioning to the new requirements cited in 33 CFR 174.19 (which we are required to implement by January 1, 2017). That being the case, what are the Coast Guard's intentions with regard to the version of the reporting form we will need to use to make our annual reporting in 2015 and beyond? Will we have the option to use the "older" version of the reporting form until such time that we have transitioned to the new requirements? And, if required to use the new form prior to that transition, how will the Coast Guard view

any incomplete data that might not be able to be generated in the new format prior to completion of the transition?

Answer: The Coast Guard has accepted but not required a State's use of this form.

Comment (6): Knowing that hull type, and more importantly engine drive information can be important details in better identifying and understanding the boating demographics within a state, what is the rationale for omitting this information in this revised collection form?

Answer: The Coast Guard will not use the hull material or engine information. It is not on the form to reduce the burden of data reporting on the States.

Comment (7): Do the estimates of the form completion burden account for any initial burden in transitioning to this revised reporting scheme? What is the basis for estimates of burden in items 12 and 13 of the Supporting Statement for the collection?

Answer: No. The burden estimate took into account the collection of information, which is based on the number of respondents, frequency of form submission and an estimate of the time taken to fill out the form.

Comment (8) is: Is there any relationship between this revision and anticipated efforts to bring CFR into agreement with the Uniform Certificate of Titling Act for Vessels (UCOTA-V)?

Answer: There is not a relationship between this revision and the UCOTA-V efforts.

Comment (9): Under Puerto Rico law, a Ship or vessel means any system of transportation on water that has a motor installed, including, but without been limited to jet skis, motorized rafts, power sailboats, motor boats, or powered driven boats of any sort, including homemade vessels powered by motor, but excluding hydroplanes. A watercraft means a mode of transportation which does not have a motor installed, such as rowboats, canoes, kayaks, sailboats with or without oars, water skis, surfboards with or without sail, rafts, inflatable systems, and any device that moves on the surface of the water without being propelled by a motor, although it could be fit for installation or adaptation of some type of motor. Therefore, the proposed change creates an overburden of conflicting definitions or wording to deal with in this case. Also, the removal of the proposed definitions leaves the accident investigation protocol without proper wording to aid in the determination of felonies, infractions, or misdemeanors committed.

Answer: Please use the definitions in 33 CFR 173.3 for this information collection.

Comment (10): SS173.57: Same comment as in the previous paragraph. Mainly, when evaluating marine events involving either vessels, watercrafts, or both. It may also affect

the terms and conditions of the memorandum of Agreement between the Government of the Commonwealth of Puerto Rico and the USCG under 14 U.S.C. SS2,89,141; 46 CFR SS13109 and 33 CFR SS100.01 as to comply with 46 U.S.C. 13103(c)(2) on the matter of marine events and boat accident reports procedures.

Answer: This collection of information does not relate to marine events or boat accident report procedures. Therefore, this comment is outside the scope of the Notice requesting comments on the collection.

Comment (11): The definitions in 33 CFR 181.3 do not include the manufacturing of handmade vessels and is inconsistent with SS181.23(b). It should include person engaged in the manufacture of a boat for his or her own use (operation) and not for sale.

Answer: This collection of information is for all registered vessels. If a homemade vessel is registered, it should be included in the statistics.

Comment (12): If a state has already transitioned--or will soon transition--its numbering system and the content of the certificates of number over to the requirements cited in 33 CFR 174.19 (i.e., before the Jan. 1, 2017 implementation deadline), what version of the form is it suppose to use? If, as a result of the ICR, the OMB formally approves the collection and issues an OMB Control Number to this revised form 3923 before the Jan. 1, 2017 deadline for states to implement the new requirements, will a state that does not make the transition until the deadline be able to submit its data on the ``old" version of the form?

Answer: States will be required to use the CGHQ-3923 form once it is approved by OMB.

Comment (13): If there are variations in the version of the forms employed by the states and submitted to the Coast Guard, how will the Coast Guard reconcile those differences in the computation and report-out of registration data?

Answer: States will be required to use the CGHQ-3923 form once it is approved by OMB.

In addition to the above comments submitted to the docket, the following comments and questions were received by Coast Guard program staff members:

Comment (14): Is this just the periodic request to approve the continuation of the collection of registration data?

Answer: Yes.

Comment (15): Has the Notice been issued primarily (at this time) as part of the process to get OMB to issue a control number?

Answer: Yes.

Comment (16): Is this in preparation for collection of registration data under the ``new" vessel terms authorized by the Final Rule on State Numbering System (SNS), Vessel Identification System (VIS), and Boating Accident Report Database (BARD) (eff. Jan 2017)?

Answer: Yes. This form makes use of the ``primary operation" and ``vessel type" in 33 Code of Federal Regulation 174.19.

Comment (17): Is there a revised collection form that will accompany it?

Answer: Yes. This form is greatly simplified. The form provides instructions, a breakdown of recreational vessel types by motorization and length category, a breakdown of commercial vessel types, and an administration section.

Comment (18): Will there be any other supporting documentation posted to regulations.gov for this Notice?

Answer: Yes. The Coast Guard posted additional files to docket USCG-2014-0173, including the proposed registration form and supporting statement.

Comment (19): A commenter questioned the Coast Guard's response to previously submitted comment (6) in which the Coast Guard noted a reduced reporting burden with the revised form. The commenter noted that the burden is not reduced since collecting aspects of vessels such as hull material and engine type are already required under 33 CFR 174 even if statistics regarding these aspects are not required on form CGHQ-3923.

Answer: The Coast Guard expects a reduced burden as the form does not require statistical reporting of all elements in 33 CFR 174. As such, it will require fewer queries and fewer data point checks to complete it.

Comment (20): A commenter questioned why aspects of vessels such as hull material and engine type are necessary in 33 CFR 174 since they are not required elements to be reported on form CGHQ-3923.

Answer: Various aspects of vessels are required to be collected for law enforcement purposes. Even though various vessel aspects such as hull material and engine type are not on the proposed form CGHQ-3923, they are used in accident, theft, and fraud investigations. Using common terminology facilitates common understanding.

Comment (21): A commenter noted that hull material and engine type are of interest to sectors and should be on form CGHQ-3923 since information on them cannot be obtained outside of CGHQ-3923.

Answer: The Coast Guard works with various sectors including government, industry,

non-profits, and researchers. If a party requested information other than what is available on CGHQ-3923, the Coast Guard would direct the user to a more appropriate contact.

Comment (22): A commenter provided a recommended version of CGHQ-3923 that is a modification of the previous CGHQ-3923. It includes additional hull material entries, an additional engine type, and changes the names of some categories.

Answer: The Coast Guard thanks the commenter for the suggested form but maintains a desire to have a simplified form for use by the States.

Subsequently, the Coast Guard published an additional 60-day notice for public comment due to the significant time that has elapsed since the previous notices were published. A 60-day Notice (See [USCG-2014-0713], July 28, 2021, 86 FR 40604) and 30-day Notice (November 22, 2021, 86 FR 66326) were published in the Federal Register to obtain public comment on this collection. The U.S. Coast Guard Office of Auxiliary and Boating Safety received one comment in response to our 60-day notice.

The commenter expressed their support for the collection of information stating that the USCG should be allowed to collect the necessary information. The commenter also stated this rule is likely to result in a reduced reporting burden for the states; this, however, is in comparison to the form(s) the states have been using for the annual summary and submission of recreational vessel registration data to the Coast Guard, and not with regard to the substantial data collection and capture requirements that were imposed by the final rule. The commenter continued by stating they strongly encourage the expeditious, formal approval of this information collection request and authorization of the accompanying Form CGHQ-3923 to alleviate uncertainties among the states as to how and to what level of detail these data should be reported to the Coast Guard; and, they strongly encourage the Coast Guard's development and adoption of instructions for the states' use in completing both the Application for Certificate of Number (33 CFR 174.17) and the Form CGHQ-3923, for the sake of data consistency. Accordingly, no changes have been made to the Collection.

9) Provide any payment or gift to respondents.

There will be no offer of monetary or material value to respondents for this information collection.

10) Assurances of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection. This information collection request is covered by the Marine Information for Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf

<https://www.gpo.gov/fdsys/pkg/FR-2009-06-25/html/E9-14906.htm>

11) Additional justification for any questions of a sensitive nature.

There are no questions of sensitive language.

12) Burden Hour and Annualized Cost Estimates.

The 56 administrative individuals (U.S. States, territories, and D.C.) will spend three quarters of one hour to fill out the form. The mean wage of a records clerk nationally was \$21.10 according to the Bureau of Labor Statistics' May 2020 estimate, http://www.bls.gov/oes/current/oes_nat.htm#43-0000. Collectively, it will cost all record keepers \$886.20 to accomplish this task.

Estimated annual respondents: 56

Estimated annual responses: 56

Estimated annual burden hours: 42

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
	CGHQ-3923						
Total		56	1	.75	42	21.10	\$886.20

13) Estimate of capital and start-up costs.

None

14) Estimates of annualized cost to the Federal Government.

The Statistician will spend 5 minutes to review and log each of the 56 submissions. The mean wage of a statistician nationally was \$47.81 according to the Bureau of Labor Statistics' May 2021 estimate, <https://www.bls.gov/oes/current/oes152041.htm>. Collectively, it will cost \$222.22 to accomplish this task.

$$= 56 \text{ submissions} \times \$47.81 \times 0.083 \text{ hrs to review each submission} = \$222.22$$

15) Reasons for change in the burden.

This is a new collection of information.

16) Plans for tabulation, statistical analysis and publication.

This information requested is a tabulation of vessel registration data submitted by states at least three months before it is due. In accordance with 33 CFR 174.123, reports under current requirements are due prior to 1 March of the following reporting year. So, for instance, CY20 data was due prior to 1 March 2021. Once received, the information is logged by the Statistician in the Office. It takes approximately five minutes to log each one and double check to make sure that numbers accurately tally. If there is an error, the Statistician will contact the State for clarification.

Once reviewed, the information is aggregated and reported out nationally in the annual Recreational Boating Statistics report.

17) Approval for not explaining the expiration date for OMB approval.

The Coast Guard will display the expiration date for OMB approval of this

information collection.

18) Explain each exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.