(e) The public entity shall include with its waiver request a copy of the initial solicitation and written documentation from the bus manufacturer of its good faith efforts to obtain lifts in time to comply with the solicitation, and a full justification for the assertion that the delay in bus procurement needed to obtain a lift-equipped bus would significantly impair transportation services in the community. This documentation shall include a specific date at which the lifts could be supplied, copies of advertisements in trade publications and inquiries to trade associations seeking lifts, and documentation of the public hearing.

(f) Any waiver granted by the FTA Administrator under this section shall be subject to the following conditions:

1. The waiver shall apply only to the particular bus delivery to which the waiver request pertains;
2. The waiver shall include a termination date, which will be based on information concerning when lifts will become available for installation on the new buses the public entity is purchasing. Buses delivered after this date, even though procured under a solicitation to which a waiver applied, shall be equipped with lifts;
3. Any bus obtained subject to the waiver shall be capable of accepting a lift, and the public entity shall install a lift as soon as one becomes available;
4. Such other terms and conditions as the FTA Administrator may impose.

(g)(1) When the FTA Administrator grants a waiver under this section, he/she shall promptly notify the appropriate committees of Congress.

2. If the FTA Administrator has reasonable cause to believe that a public entity fraudulently applied for a waiver under this section, the FTA Administrator shall:

(i) Cancel the waiver if it is still in effect; and
(ii) Take other appropriate action.

§ 37.75 Remanufacture of non-rail vehicles and purchase or lease of remanufactured non-rail vehicles by public entities operating fixed route systems.

(a) This section applies to any public entity operating a fixed route system which takes one of the following actions:

1. After August 25, 1990, remanufactures a bus or other vehicle so as to extend its useful life for five years or more and makes a solicitation for such remanufacturing;
2. Purchases or leases a bus or other vehicle which has been remanufactured so as to extend its useful life for five years or more, where the purchase or lease occurs after August 25, 1990, and during the period in which the useful life of the vehicle is extended.