Subpart D—Certification of Compliance With or Inapplicability of Federal Motor Vehicle Safety Standards

663.41 Certification of compliance with Federal motor vehicle safety standards.

663.43 Certification that Federal motor vehicle standards do not apply.


Source: 56 FR 48395, Sept. 24, 1991, unless otherwise noted.

Subpart A—General

§ 663.1 Purpose.

This part implements section 12(j) of the Federal Mass Transit Act of 1964, as amended, which was added by section 319 of STURAA and this part.

Subpart B—Generalized Audit Requirements

§ 663.3 Scope.

This part applies to a recipient purchasing rolling stock to carry passengers in revenue service with funds made available under sections 3, 9, 18, and 16(b)(2) of the Federal Mass Transit Act, as amended.

§ 663.5 Definitions.

As used in this part—

(a) Pre-award means that period in the procurement process before the recipient enters into a formal contract with the supplier.

(b) Post-delivery means the time period in the procurement process from when the rolling stock is delivered to the recipient until title to the rolling stock is transferred to the recipient or the rolling stock is put into revenue service, whichever is first.

(c) Recipient means a recipient of Federal financial assistance from FTA.

(d) Revenue service means operation of rolling stock for transportation of fare-paying passengers as anticipated by the recipient.

(e) Rolling stock means buses, vans, cars, railcars, locomotives, trolley cars and buses, ferry boats, and vehicles used for guideways and incline planes.

(f) Audit means a review resulting in a report containing the necessary certifications of compliance with Buy America standards, purchaser’s requirements specifications, and, where appropriate, a manufacturer’s certification of compliance with or inapplicability of the Federal Motor Vehicle Safety Standards, required by section 319 of STURAA and this part.

(g) FTA means the Federal Transit Administration.

§ 663.7 Certification of compliance to FTA.

A recipient purchasing revenue service rolling stock with funds obligated by FTA on or after October 24, 1991, must certify to FTA that it will conduct or cause to be conducted pre-award and post-delivery audits as prescribed in this part. In addition, such a recipient must maintain on file the certifications required under subparts B, C, and D of this part.

§ 663.9 Audit limitations.

(a) An audit under this part is limited to verifying compliance with

(1) Applicable Buy America requirements [section 165 of the Surface Transportation Assistance Act of 1982, as amended]; and

(2) Solicitation specification requirements of the recipient.

(b) An audit under this part includes, where appropriate, a copy of a manufacturer’s self certification information that the vehicle complies with Federal Motor Vehicle Safety Standards or a certification that such standards are inapplicable.

(c) An audit conducted under this part is separate from the single annual audit requirement established by Office of Management and Budget Circular A-129, “Audits of State and Local Governments,” dated May 16, 1985.