

**FEDERAL TRANSIT PROGRAMS  
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1. Public Transportation Enabling Legislation.

- a. Federal Transit Laws, codified at 49 U.S.C. chapter 53 (Sections 5301 *et seq.*).
- b. Title 23, United States Code (Highways).
- c. The Highway and Transportation Funding Act of 2014, Pub. L. 113-159, August 8, 2014.
- d. [Continuing Appropriations Resolution, 2015, Pub. L. 113-164, September 19, 2014, and other Appropriations Acts or Continuing Resolutions funding the Department of Transportation during Fiscal Year 2015.](#)
- d. Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, July 6, 2012, 23 U.S.C. § 101 note.
- e. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, Aug. 10, 2005, as amended by the SAFETEA-LU Technical Corrections Act, 2008, Pub. L. 110-244, June 6, 2008, 23 U.S.C. § 101 note (SAFETEA-LU), (*predecessor to MAP-21*).
- f. Transportation Equity Act for the 21st Century, Pub. L. 105-178, June 9, 1998, 23 U.S.C. § 101 note, as amended by the TEA-21 Restoration Act, Pub. L. 105-206, July 22, 1998, 23 U.S.C. § 101, (*predecessor to SAFETEA-LU*).
- g. National Capital Transportation Act of 1969, as amended, D.C. Official Code § 9-1111.01 *et seq.*
- h. American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, February 17, 2009 (“Recovery Act”) (*expired*).

2. Federal Transit Administration (FTA) Programs.

- a. Metropolitan Planning Program.
  - (1) Federal Transit Law, 49 U.S.C. § 5305(d), as amended by MAP-21.
  - (2) The most recent and applicable edition of FTA Circular 8100.1, “Program Guidance for Metropolitan Planning and State Planning and Research Program Grants,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
  - (3) FTA “Policy Guidance on Metropolitan Planning Organization (MPO)

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Representation” that was published in 79 *Fed. Reg.* 31214, June 2, 2014.

b. State Planning and Research.

- (1) Federal Transit Law, 49 U.S.C. § 5305(e), as amended by MAP-21.
- (2) The most recent and applicable edition of FTA Circular 8100.1, “Program Guidance for Metropolitan Planning and State Planning and Research Program Grants,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- (3) FTA “Policy Guidance on Metropolitan Planning Organization (MPO) Representation” that was published in 79 *Fed. Reg.* 31214, June 2, 2014.

c. Pilot Program for Transit-Oriented Development Planning.

- (1) Section 20005(b) of MAP-21, 49 U.S.C. § 5303 note.

d. Alternatives Analysis Program.

- (1) Effectively repealed by section 20029 of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5339, in effect in FY 2012 or a previous fiscal year.

e. Urbanized Area Formula Program.

- (1) Federal Transit Law, 49 U.S.C. § 5307.
  - (a) Public Transportation Security Projects.
    - 1 Federal Transit Law, 49 U.S.C. § 5307(c)(1)(J), as amended by MAP-21.
    - 2 Federal Transit Law, former 49 U.S.C. §§ 5307(d)(1)(J) in effect in FY 2012 or a previous fiscal year.
  - (b) Associated Transit Improvements.
    - 1 Federal Transit Law, 49 U.S.C. § 5302(1), as amended by MAP-21.
    - 2 Federal Transit Law, 49 U.S.C. § 5307(c)(1)(K), as amended by MAP-21.
  - (c) Transit Enhancements.
    - 1 Federal Transit Law, former 49 U.S.C. § 5302(a) in effect in FY 2012 or a

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previous fiscal year.

- 2 Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(K) in effect in FY 2012 or a previous fiscal year.

(d) Designated Recipient.

- 1 Federal Transit Law, 49 U.S.C. § 5302(4), as amended by MAP-21.

- 2 Federal Transit Law, former 49 U.S.C. § 5307(a)(2) in effect in FY 2012 or a previous fiscal year.

- (2) The most recent and applicable edition of FTA Circular 9030.1, “Urbanized Area Formula Program: Grant Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

f. Job Access and Reverse Commute Grant Program.

- (1) Repealed by section 20002(a) of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5316 in effect in FY 2012 or a previous fiscal year.
- (3) Federal Transit Law, 49 U.S.C. § 5307, as amended by MAP-21.
- (4) The most recent and applicable edition of FTA Circular, 9050.1, “The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

g. Fixed Guideway Capital Investment Grants Program.

- (1) Section 20008 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5309, as amended by MAP-21.
  - (a) New Starts Projects.
  - (b) Small Starts Projects.
  - (c) Core Capacity Projects.
- (3) FTA Circular 7050.1, “Federal Transit Administration Guidance on Joint Development, August 25, 2014.

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h. Capital Investment Program (before MAP-21).

- (1) Restructured by section 20008 of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5309.
- (3) The most recent and applicable edition of FTA Circular 9300.1, “Capital Investment Program Guidance and Application Instructions,” November 1, 2008, to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- (4) The most recent and applicable edition of FTA Circular 5200.1, “Full Funding Grant Agreement Guidance,” December 5, 2002, to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- (5) FTA Circular 7050.1, “Federal Transit Administration Guidance on Joint Development, August 25, 2014.

i. State of Good Repair Program.

- (1) Section 20021 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5337, as amended by MAP-21.

j. Fixed Guideway Modernization Program.

- (1) Repealed by section 20002(c) of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5309 in effect in FY 2012 or a previous fiscal year.

k. Bus and Bus Facilities Formula Grants Program.

- (1) Section 20029 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5339, as amended by MAP-21.

l. Bus and Bus Facility Grant Program.

- (1) Repealed by sections 20002(c) of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5309 in effect in FY 2012 or a previous fiscal year.

m. Seniors and Individuals with Disabilities Formula Program.

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- (1) Section 20009 of MAP-21.
  - (2) Federal Transit Law, 49 U.S.C. § 5310, as amended by MAP-21.
  - (3) The most recent and applicable edition of FTA Circular 9070.1, “Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- n. Elderly Individuals and Individuals with Disabilities Formula Program.
- (1) Significantly modified by section 20009 of MAP-21
  - (2) Federal Transit Law, former 49 U.S.C. § 5310, in effect in FY 2012 or a previous fiscal year.
  - (3) The most recent and applicable edition of FTA Circular 9070.1, “Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- o. Elderly Individuals and Individuals with Disabilities Pilot Program.
- (1) Repealed by section 20002(c)(5) of MAP-21.
  - (2) Federal Transit Law, former section 3012(b) of SAFETEA-LU, 49 U.S.C. § 5310 note in effect in FY 2012 or a previous fiscal year.
  - (3) The most recent and applicable edition of FTA Circular 9070.1 “Elderly Individuals and Individuals With Disabilities Program Guidance and Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- p. New Freedom Program.
- (1) Repealed by section 20002(a) of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5317 in effect in FY 2012 or a previous fiscal year.
  - (3) The most recent and applicable edition of FTA Circular, 9045.1, “New Freedom Program Guidance and Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- q. Rural Areas Formula Program.

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- (1) Section 20010 of MAP-21.
  - (2) Federal Transit Law, 49 U.S.C. § 5311, as amended by MAP-21.
  - (3) Federal Transit Law, 49 U.S.C. § 5310(b)(7), as amended by MAP-21 [meal delivery service].
  - (4) The most recent and applicable edition of FTA Circular 9040.1, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- r. Nonurbanized Areas (Other Than Urbanized Areas) Formula Program.
- (1) Significantly modified by section 20010 of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5311 in effect in FY 2012 or a previous fiscal year.
  - (3) Federal Transit Law, former 49 U.S.C. § 5310(g) [meal delivery service] in effect in FY 2012 or a previous fiscal year.
  - (4) The most recent and applicable edition of FTA Circular 9040.1, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- s. Rural Transportation Assistance Program.
- (1) 49 U.S.C. § 5311(b)(3).
- t. Public Transportation on Indian Reservations Program.
- (1) Section 20010 of MAP-21.
  - (2) 49 U.S.C. § 5311(c)(1), as amended by MAP-21.
  - (3) The most recent and applicable “Notice of Funding Availability: Solicitation of Grant Proposals for Tribal Transit Program Funds.”
- u. “Tribal Transit” Program.
- (1) Effectively repealed by section 20010 of MAP-21
  - (2) Federal Transit Law, former 49 U.S.C. § 5311(c)(1) in effect in FY 2012 or a

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- (3) The most recent and applicable “Notice of Funding Availability: Solicitation of Grant Proposals for Tribal Transit Program Funds.”

v. Appalachian Development Public Transportation Assistance Program.

- (1) Section 20010 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5311(c)(2), as amended by MAP-21.

w. Over-the-Road Bus Accessibility Program.

- (1) Repealed by section 20002(b) of MAP-21.
- (2) Section 3038 of TEA-21, as amended by section 3039 of SAFETEA-LU, 49 U.S.C. § 5310 note.
- (3) U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 C.F.R. part 37, subpart H, “Over the Road Buses.”
- (4) Joint U.S. Architectural and Transportation Barriers Compliance Board/U.S. DOT regulations, “Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles,” 36 C.F.R. part 1192 and 49 C.F.R. part 38.
- (5) The most recent FTA Notice, “Over-the-Road Bus Accessibility Program Grants,”
- (6) U.S. DOL “Guidelines, Section 5333(b), Federal Transit Law,” 29 C.F.R. part 215.

x. Paul S. Sarbanes Transit in Parks Program.

- (1) Repealed by section 20002(a) of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5320 in effect in FY 2012 or a previous fiscal year.
- (3) The most recent FTA Notice pertaining to the Alternative Transportation in Parks and Public Lands Program.

y. Research, Development, Demonstration, and Deployment Program.

- (1) Section 20011 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C § 5312(a), as amended by MAP-21.

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- (3) The most recent and applicable edition of FTA Circular 6100.1, “Research, Technical Assistance, and Training Programs Application and Program Management Guidelines,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

z. National Research Program.

- (1) Restructured by section 20011 of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C § 5312(a) in effect in FY 2012 or a previous fiscal year.
- (3) The most recent and applicable edition of FTA Circular 6100.1, “Research, Technical Assistance, and Training Programs Application and Program Management Guidelines,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

aa. Research Program in the Research, Development, Demonstration, and Deployment Program under MAP-21.

- (1) Restructured by section 20011 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5312(b) authorized by MAP-21.

bb. Research Provisions of the Research, Development, Demonstration, and Deployment Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.

- (1) Restructured by section 20011 of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C § 5312(a), in effect in FY 2012 or a previous fiscal year.

cc. Innovation and Development Program within the Research, Development, Demonstration, and Deployment Program.

- (1) Restructured by section 20011 of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5312(c), as amended by MAP-21.

dd. Innovation and Development Provisions of the Research, Development, Demonstration, and Deployment Program in Effect in Fiscal Year 2012 or a Previous Fiscal Year.

- (1) Restructured by section 20002(a) of MAP-21.



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- (2) Federal Transit Law, former 49 U.S.C § 5312(a) in effect in FY 2012 or a previous fiscal year.
- ee. Demonstration, Deployment and Education Program, within the Research, Development, Demonstration, and Deployment Program.
  - (1) Restructured by section 20011 of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5312(d)(1), as amended by MAP-21.
- ff. Joint Partnership Program for Deployment of Innovation.
  - (1) Effectively repealed by section 20011 of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C § 5312(b) in effect in FY 2012 or a previous fiscal year.
- gg. Low or No Emission Vehicle Deployment Program.
  - (1) Section 20011 of MAP-21.
  - (2) Federal Transit Law, 49 U.S.C. § 5312(d)(5), as amended by MAP-21.
- hh. Clean Fuels Grant Program.
  - (1) Repealed by section 20002(a) of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5308 in effect in FY 2012 or a previous fiscal year.
  - (3) Federal Transit Law, 49 U.S.C. § 5307 in effect in FY 2012 or a previous fiscal year.
  - (4) FTA regulations, “Clean Fuels Grant Program,” 49 C.F.R. part 624.
- ii. International Transportation Program.
  - (1) Effectively repealed by section 20011 of MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5312(c) in effect in FY 2012 or a previous fiscal year.
- jj. National Fuel Cell Bus Technology Development Program.

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- (1) Repealed by section 20002(c)(4) of MAP-21.
- (2) Federal Transit Law, former Section 3045 of SAFETEA-LU, 49 U.S.C. § 5308 note in effect in FY 2012 or a previous fiscal year.

kk. Allocations for the National Research and Technology Program.

- (1) Repealed by Section 20002(c)(5) of MAP-21.
- (2) Federal Transit Law, former Section 3046 of SAFETEA-LU, 49 U.S.C. § 5338 note in effect in FY 2012 or a previous fiscal year.

ll. Transit Cooperative Research Program.

- (1) Federal Transit Law, 49 U.S.C. § 5313.

mm. Technical Assistance and Standards Development Program.

- (1) Section 20012(a) of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5314(a), as amended by MAP-21.

nn. Technical Assistance Program *[To Support Public Transportation Availability for Seniors and Individuals with Disabilities]*.

- (1) Section 20012(b) of MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5314(b), as amended by MAP-21.

oo. Program to Facilitate Compliance with the ADA *[Project ACTION]*.

- (1) Restructured by section 20012(b) of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5314(a)(2) in effect in FY 2012 or a previous fiscal year.

pp. National Technical Assistance Center for Senior Transportation.

- (1) Effectively repealed by section 20012 of MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5314(c) in effect in FY 2012 or a previous fiscal year.

qq. Human Resources – General.

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(1) Federal Transit Law, 49 U.S.C. § 5322(a).

rr. Innovative Public Transportation Workforce Development Program.

(1) Section 20015 of MAP-21.

(2) Federal Transit Law, 49 U.S.C. § 5322(b), as amended by MAP-21.

ss. National Transit Institute Program.

(1) Federal Transit Law, 49 U.S.C. § 5322(d), as amended by MAP-21.

(2) Federal Transit Law, former 49 U.S.C. § 5315 in effect in FY 2012 or a previous fiscal year.

tt. Human Resources Fellowships.

(1) Effectively repealed by section 20015 of MAP-21.

(2) Federal Transit Law, former 49 U.S.C. § 5322(b) in effect in FY 2012 or a previous fiscal year.

uu. Public Transportation Emergency Relief Program.

(1) Section 20017 of MAP-21.

(2) Federal Transit Law, 49 U.S.C. § 5324, as amended by MAP-21.

(3) FTA regulations, “Emergency Relief,” 49 C.F.R. part 602 (*78 Fed. Reg. 19144 et seq., March 29, 2013*).

vv. State Safety Oversight Program.

(1) Section 20021 of MAP-21.

(2) Federal Transit Law, 49 U.S.C. § 5329(e)(6), as amended by MAP-21.

(3) Federal Transit Law, former 49 U.S.C. § 5329(b) in effect in FY 2012 or a previous fiscal year.

ww. Tribal Transit Programs.

(1) Re-structured by Section 20010 of MAP-21

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- (2) Federally Recognized Indian Tribe List Act of 1994, as amended, 25 U.S.C. § 479a and 25 U.S.C. § 479a note

xx. Recovery Act Program.

- (1) The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, February 17, 2009 (“Recovery Act”).
- (2) U.S. Office of Management and Budget (U.S. OMB), “Requirements for Implementing Sections 1512, 1605, and 1606 of the American Recovery and Reinvestment Act of 2009 for Financial Assistance Awards,” 2 C.F.R. part 176.

3. Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) Programs.

a. Surface Transportation Program.

- (1) 23 U.S.C. § 133.

b. Public Transportation Program.

- (1) 23 U.S.C. § 142.

c. Congestion Mitigation and Air Quality Program.

- (1) 23 U.S.C. § 149.

d. Federal Lands Highway Program.

- (1) 23 U.S.C. § 204.

e. Surface Transportation Research.

- (1) 23 U.S.C. § 502.

f. Surface Transportation Deployment.

- (1) 23 U.S.C. § 133.

g. Transportation Infrastructure Finance and Innovation (TIFIA) Program.

- (1) Transportation Infrastructure Finance and Innovation Act of 1998, as amended, 23 U.S.C. §§ 601 – 608, as amended by MAP-21.

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- (2) Transportation Infrastructure Finance and Innovation Act of 1998, as amended, former 23 U.S.C. §§ 601 – 608 in effect in FY 2012 or a previous fiscal year.
- (3) Federal Transit Law, 49 U.S.C. §§ 5323(o), 5307, and 5309.
- (4) Section 350 of the National Highway System Designation Act of 1995, as amended.
- (5) Joint U.S. DOT/FTA regulations, “Credit Assistance for Surface Transportation Projects,” 49 C.F.R. parts 80 and 640.
- h. State Infrastructure Bank Program.
  - (1) 23 U.S.C. § 610, as amended by MAP-21.
  - (2) Former 23 U.S.C. § 610, in effect in FY 2012 or a previous fiscal year.
  - (3) Federal Transit Law, 49 U.S.C. §§ 5323(o), 5307, and 5309.
  - (4) Section 1511 of TEA-21, 23 U.S.C. § 181 note.
  - (5) Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. § 101 note.
- i. National Intelligent Transportation Systems Research and Development.
  - (1) 23 U.S.C. § 517(d), as amended by MAP-21.
  - (2) FTA Notice, “FTA National ITS Architecture Policy on Transit Projects,” 66 *Fed. Reg.* 1455, January 8, 2001.
- 4. Federal Railroad Administration (FRA)/Federal Transit Administration Programs.
  - a. Passenger Rail Investment and Improvement Act of 2008 (PRIIA), 49 U.S.C. chapter 244.
    - (1) Buy America.
      - (a) PRIIA, 49 U.S.C. § 24405(a) added by section 301(a) of PRIIA.
    - (2) Procurement of Rolling Stock.
      - (a) PRIIA, 49 U.S.C. § 24405(a) added by section 301(a) of PRIIA.
    - (3) Construction Wage Requirements.

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- (a) PRIIA, 49 U.S.C. § 24405(c)(1)(C).
  - (b) Railway Labor Act, 45 U.S.C. § 21104.
- (4) Next Generation Corridor Equipment Pool Committee
  - (a) Section 305 of PRIIA.
- b. AMTRAK, 49 U.S.C. chapter 243.
- 5. MAP-21 Cross-Cutting Requirements.

“Notice of FTA Transit Program Changes, Authorized Funding Levels and Implementation of the Moving Ahead for Progress in the 21st Century Act (MAP–21) and FTA Fiscal Year 2013 Apportionments, Allocations, Program Information and Interim Guidance,” 77 *Fed. Reg.* 63670, October 16, 2012.
- 6. Types of Award.
  - a. Grant Agreement.
    - (1) 31 U.S.C. § 6304.
  - b. Cooperative Agreement.
    - (1) 31 U.S.C. § 6305.
  - c. Procurement Contract.
    - (1) 31 U.S.C. § 6303.
  - d. Line of Credit.
    - (1) 23 U.S.C. § 601(a)(5).
  - e. Loan Guarantee.
    - (1) 23 U.S.C. § 601(a)(6).
  - f. Secured Loan.
    - (1) 23 U.S.C. § 601(a)(11).

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7. Definitions in 49 U.S.C. Chapter 53.

- a. Federal Transit Law, 49 U.S.C. § 5302, as amended by MAP-21.
- b. Federal Transit Law, former 49 U.S.C. § 5302, in effect in Fiscal Year 2012 or a previous fiscal year.

8. Eligibility for Award.

- a. Various provisions of FTA and FHWA enabling legislation.

9. Uniform Administrative Requirements.

- a. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. part 18.
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 C.F.R. part 19. [*Also applicable to for-profit organizations unless FTA specifies otherwise.*]
- c. U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

10. Suspension and Debarment.

- a. U.S. DOT regulations, “Nonprocurement Suspension and Debarment,” 2 C.F.R. part 1200.
- b. U.S. OMB, “Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” 2 C.F.R. part 180.
- c. Executive Orders Nos. 12549 and 12689, “Debarment and Suspension,” 31 U.S.C. § 6101 note.
- d. “Excluded Parties Listing System” at <http://sam.gov>.

11. Lobbying.

- a. Restricting use of Federal Funds for Lobbying Congress.
  - (1) Byrd Amendment 31 U.S.C. § 1352, as amended.

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(2) Subsequent miscellaneous Federal appropriations provisions.

b. Lobbying Certification and Disclosure.

(1) Byrd Amendment 31 U.S.C. § 1352, as amended.

(2) U.S. DOT regulations, “New Restrictions on Lobbying,” 49 C.F.R. part 20, modified as necessary by amendments to 31 U.S.C. § 1352.

12. Trafficking in Persons.

a. Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended, 22 U.S.C. § 7104(g).

b. U.S. OMB Guidance, “Trafficking in Persons: Grants and Cooperative Agreements,” 2 C.F.R. part 175.

13. Planning.

a. Federal Transit Law, 49 U.S.C. §§ 5303 and 5304, as amended by MAP-21.

b. Joint FHWA/FTA regulations, “Planning Assistance and Standards,” 23 C.F.R. part 450 and 49 C.F.R. part 613.

c. FTA regulations, “Major Capital Investment Projects,” 49 C.F.R. part 611, to the extent that those regulations are consistent with applicable Federal laws, regulations, and guidance.

d. The most recent FTA “Guidance on New Starts/Small Starts Policies and Procedures” to the extent it is consistent with the MAP-21 requirements.

14. Management and Monitoring.

a. Joint FHWA/FTA regulations, “Management and Monitoring Systems,” 23 C.F.R. part 500.

b. Joint FHWA/FTA regulations, “Management and Monitoring Systems” 49 C.F.R. part 614.

15. General Management Requirements.

a. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. part 18.  
[Also applicable to Indian tribal governments.]



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- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. part 19. [*Also applicable to for-profit organizations unless FTA specifies otherwise.*]
- c. The most recent and applicable edition of FTA Circular 5010.1, “Grant Management Requirements,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- d. U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective

16. Procurement.

a. General.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.36, to the extent those regulations are consistent with MAP-21.
- (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 C.F.R. §§ 19.40 – 19.48, to the extent those regulations are consistent with MAP-21.
- (3) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.
- (4) The most recent and applicable edition of FTA Circular 4220.1, “Third Party Contracting Guidance,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- (5) FTA “Best Practices Procurement Manual,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

b. Special Public Transportation Assistance Procurement Requirements Within 49 U.S.C. chapter 53, and Title 23, United States Code.

- (1) Full and Open Competition.

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- (a) Federal Transit Law, 49 U.S.C. § 5325(a).
- (2) Exclusionary or Discriminatory Specifications.
  - (a) Federal Transit Law, 49 U.S.C. §§ 5323(h)(2) and 5325(h).
- (3) Award to Other than the Lowest Bidder.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(c).
- (4) Award to Responsible Contractors.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(j).
- (5) Cooperative Purchases.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(e)(2).
- (6) Special Procurement Procedures for Architectural and Engineering Services.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(b).
    - 1 “Brooks Act” procurement procedures, 40 U.S.C. chapter 11.
    - 2 Federal Acquisition Regulation Cost Principles, 48 C.F.R. part 31.
    - 3 Confidentiality of Cost Data, 49 U.S.C. § 5325(b)(2)(D).
- (7) Design-Build Authority.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(d).
- (8) Method of Acquiring Rolling Stock.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(f).
- (9) Five-year Limit on Options to Purchase Buses.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(e)(1)(A), as amended by MAP-21.
- (10) Seven-year Limit on Options to Purchase Railcars.
  - (a) Federal Transit Law, 49 U.S.C. § 5325(e)(1)(B), as amended by MAP-21.

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(11) Access to Third Party Contract Records.

- (a) Federal Transit Law, 49 U.S.C. § 5325(g).

(12) In-State Bus Dealer Restrictions.

- (a) Federal Transit Law, 49 U.S.C. § 5325(i).

(13) Pre-Award and Post-Delivery Reviews.

- (a) Federal Transit Law, 49 U.S.C. § 5323(m), as amended by MAP-21.
- (b) FTA regulations, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases,” 49 C.F.R. part 663, to the extent consistent with 49 U.S.C. § 5323(m).

(14) Bus Testing.

- (a) Federal Transit Law, 49 U.S.C. § 5318(e).
- (b) FTA regulations, “Bus Testing,” 49 C.F.R. part 665.

(15) Intelligent Transportation System Architecture and Standards.

- (a) 23 U.S.C. § 5317.
- (b) FTA Notice, “FTA National ITS Architecture Policy on Transit Projects” 66 *Fed. Reg.* 1455 *et seq.*, January 8, 2001.

(16) Veterans Employment.

- (a) Federal Transit Law, 49 U.S.C. § 5325(k), as amended by MAP-21.

(17) Construction Labor.

- (a) Federal Transit Law, 49 U.S.C. § 5333(a).
- (b) Davis-Bacon Act, 40 U.S.C. §§ 3144, 3146, and 3147.

c. Acquisition by Lease.

- (1) Federal Transit Law, 49 U.S.C. § 5302(3)(F), as amended by MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5334(f) in effect in Fiscal Year 2012 or a

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previous fiscal year.

(3) FTA regulations, “Capital Leases,” 49 C.F.R. part 639.

17. Domestic Preferences.

a. Buy America.

(1) Federal Transit Law, 49 U.S.C. § 5323(j), as amended by MAP-21.

(2) FTA regulations, “Buy America Requirements,” 49 C.F.R. part 661, to the extent consistent with MAP-21.

b. Cargo Preference.

(1) 46 U.S.C. § 55305.

(2) U.S. Maritime Administration regulations, “Cargo Preference-U.S.-Flag Vessels.” 46 C.F.R part 381.

c. Fly America.

(1) Section 5 of the International Air Transportation Fair Competitive Practices Act of 1974, as amended, 49 U.S.C. § 40118.

(2) U.S. GSA regulations, “Use of United States Flag Air Carriers,” 41 C.F.R. §§ 301-10.131 – 301-10.143.

18. Special Notification Requirement for States.

a. Sections vary with place in U.S. DOT Appropriations Acts.

19. Relocation and Real Property Acquisition Protections.

a. Federal Transit Law, 49 U.S.C. § 5323(b), as amended by MAP-21.

b. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. § 4601 *et seq.*

c. U.S. DOT regulations, “Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs,” 49 C.F.R. part 24.

20. Early System Work Agreement (ESWA).

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- a. Federal Transit Law, 49 U.S.C. § 5309(k)(3).

21. Property Ownership and Management.

- a. General.

- (1) State Governments.

- (a) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. §§ 18.31 – 18.34, to the extent those regulations are consistent with MAP-21.
    - (b) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.
    - (c) The most recent and applicable edition of FTA Circular 5010.1, “Grant Management Requirements,” November 1, 2008, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

- (2) Local Government or Indian Tribal Government.

- (a) Comply with the property management standards of 49 C.F.R. §§ 18.31 – 18.34.
    - (b) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.
    - (c) The most recent and applicable edition of FTA Circular 5010.1, “Grant Management Requirements,” November 1, 2008, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

- (3) Institution of Higher Education or Private Nonprofit Entity.

- (a) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 C.F.R. §§ 19.30 – 19.37, to the extent those regulations are consistent with MAP-21.
    - (b) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R.

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part 1201, when effective.

- (c) The most recent and applicable edition of FTA Circular 5010.1, “Grant Management Requirements,” November 1, 2008, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

b. Satisfactory Continuing Control of Property.

- (1) Federal Transit Law, 49 U.S.C. § 5309(c)(1)(B)(ii), as amended by MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(B) in effect in Fiscal Year 2012 or a previous fiscal year.

c. Transit Asset Management.

- (1) Federal Transit Law, 49 U.S.C. § 5326, as amended by MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5337(a)(4), as amended by MAP-21.
- (3) The National Transit Asset Management System required to be issued by Federal Transit Law, 49 U.S.C. § 5326(d), as amended by MAP-21.
- (4) Performance Measures and Targets required to be issued by Federal Transit Law, 49 U.S.C. § 5326(c)(1), as amended by MAP-21.

d. Major Federal Projects.

- (1) 49 U.S.C. § 5309, as amended by MAP-21.
- (2) The most recent and applicable edition of FTA Circular 5800.1, “Safety and Security Management Guidance for Major Capital Projects,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.

e. Insurance.

- (1) Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. § 4012a(a) – Requirements to have flood insurance.

f. Transfer of Assets.

- (1) Federal Transit Law, 49 U.S.C. § 5334(h).
- (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. §§ 18.31(c)(3)

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and 18.32(g), to the extent those regulations are consistent with MAP-21.

- (3) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 C.F.R. §§ 19.32(c)(3) and 19.34(g)(4), to the extent those regulations are consistent with MAP-21.
- (4) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

g. Sale.

- (1) Federal Transit Law, 49 U.S.C. § 5334(h)(4).
- (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. §§ 18.31 and 18.32.
- (3) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. §§ 19.32 and 19.34.
- (4) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

h. Export Restrictions.

- (1) U.S. Department of Commerce, Bureau of Industry and Security, “Export Administration Regulations,” 15 C.F.R. parts 730 *et seq.*
- (2) U.S. State Department Regulations.
- (3) U.S. Treasury Department Regulations.
- (4) U.S. Defense Department Regulations.

22. Intellectual Property.

a. Patent Rights.

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- (1) 35 U.S.C. §§ 200 *et seq.* [for all FTA recipients].
- (2) U.S. Department of Commerce regulations, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” 37 C.F.R. part 401.
- (3) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.36(i)(8).
- (4) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.36(b).
- (5) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

b. Rights in Data.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.34.
- (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.36(e).
- (3) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

c. Requirements to Release Data.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 C.F.R. § 19.36(d).

23. Metric Usage.

- a. Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act, 15 U.S.C. § 205a *et seq.*
- b. Executive Order No. 12770, “Metric Usage in Federal Government Programs,” 15 U.S.C.



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§ 205a note.

24. Private Enterprise Protections.

a. Planning.

- (1) Federal Transit Law, 49 U.S.C. §§ 5306 and 5323(k), as amended by MAP-21.
- (2) Federal Transit Law, 49 U.S.C. § 5323(a)(1)(C), as amended by MAP-21.
- (3) Joint FHWA/FTA regulations, “Planning Assistance and Standards,” 23 C.F.R. part 450 and 49 C.F.R. part 613.

b. Property and Operations.

- (1) Federal Transit Law, 49 U.S.C. § 5323(a)(1).

c. Charter Service.

- (1) Federal Transit Law, 49 U.S.C. §§ 5323(d) and 5323(g), as amended by MAP-21.
- (2) 23 U.S.C. § 133.
- (3) 23 U.S.C. § 142.
- (4) FTA regulations, “Charter Service,” 49 C.F.R. part 604.

d. School Transportation Operations.

- (1) Federal Transit Law, 49 U.S.C. §§ 5323(f) and 5323(g), as amended by MAP-21.
- (2) 23 U.S.C. § 133.
- (3) 23 U.S.C. § 142.
- (4) FTA regulations, “School Bus Operations,” 49 C.F.R. part 605.

e. Reasonable Access to Private Intercity Transportation Operators or Charter Transportation Operators.

- (1) Federal Transit Law, 49 U.S.C. § 5323(r), as amended by MAP-21.

f. Alternative Fueling Facilities.

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(1) Federal Transit Law, 49 U.S.C. § 5323(p).

g. Infrastructure Privatization.

(1) Executive Order No. 12803, “Infrastructure Privatization,” 31 U.S.C. § 501 note.

(2) Executive Order No. 12893, “Principles for Federal Infrastructure Investments,” 31 U.S.C. § 601 note.

25. Labor Protections and Arrangements.

a. Transit Employee Protections.

(1) Federal Transit Law, 49 U.S.C. § 5333(b).

(2) Federal Transit Law, 49 U.S.C. § 5311(i).

(3) U.S. Department of Labor (U.S. DOL) “Guidelines, Section 5333(b), Federal Transit Law,” 29 C.F.R. part 215.

b. Employees including Construction Employees.

(1) Section 102 of the Contract Work Hour and Safety Standards Act, 40 U.S.C. §§ 3702.

(2) Fair Labor Standards Act, as amended, 29 U.S.C. § 201 *et seq.*

(3) U.S. DOL regulations, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act),” 29 C.F.R. § 5.5(b).

c. Construction Employees.

(1) Federal Transit Law, 49 U.S.C. § 5333(a) invoking the Davis-Bacon Act.

(2) Davis-Bacon Act, 40 U.S.C. § 3141 *et seq.*

(3) U.S. DOL regulations, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act),” 29 C.F.R. § 5.5(a).

(4) Copeland “Anti-Kickback” Act, as amended, 18 U.S.C. § 874 and 40 U.S.C. § 3145.

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- (5) U.S. DOL regulations, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States,” 29 C.F.R. part 3.
- (6) Section 107 of the Contract Work Hour and Safety Standards Act, 40 U.S.C. § 3704.
- (7) U.S. DOL regulations, “Safety and Health Regulations for Construction,” 29 C.F.R. part 1926.

d. Project Labor Agreements.

- (1) Executive Order No. 13502, “Use of Project Labor Agreements [PLA] for Federal Construction Projects,” February 6, 2009, 41 U.S.C. § 41 U.S.C. Subtitle I, Div. C, Ch. 39, Refs. & Annos – Permitting recipients to use Project Labor Agreements.
- (2) Executive Order No. 13202, “Preservation of Open Competition and Government Neutrality Towards Government Contractors’ Labor Relations on Federal and Federally Funded Construction Projects,” February 17, 2001, amended by Executive Order No. 13208, April 6, 2001, 41 U.S.C. § 251 note [*Repealed*].

26. Civil Rights.

a. Nondiscrimination in Federally Assisted Programs.

- (1) Federal Transit Law, 49 U.S.C. § 5332, as amended by MAP-21.
- (2) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.*
- (3) U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 C.F.R. part 21.
- (4) Most recent and applicable edition of FTA Circular 4702.1, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
- (5) The most recent edition of U.S. DOJ, “Guidelines for the enforcement of Title VI, Civil Rights Act of 1964,” 28 C.F.R. § 50.3, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

b. Equal Employment Opportunity in Federal Public Transportation Programs.

- (1) Federal Transit Law, 49 U.S.C. § 5332, as amended by MAP-21.

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- (2) Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e.
- (3) U.S. DOL regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 C.F.R. parts 60 *et seq.*
- (4) Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order No. 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000(e) note.
- (5) Executive Order 13672, “Further Amendments to Executive Order 11478, Equal Employment Opportunity in the in the Federal Government, and Executive Order 11246, Equal Employment Opportunity,” July 21, 2014.
- c. Disadvantaged Business Enterprise.
  - (1) Section 1101(b) of MAP-21, 23 U.S.C. § 101 note.
  - (2) U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 C.F.R. part 26.
- d. Fair Housing.
  - (1) Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. § 3601 *et seq.*
  - (2) Executive Order No. 12892, “Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing,” 42 U.S.C. § 3608 note.
- e. Sex.
  - (1) Public Transportation Programs.
    - (a) Federal Transit Law, 49 U.S.C. § 5332, as amended by MAP-21.
  - (2) Education.
    - (a) Title IX of the Education Amendments of 1972, as further amended, 20 U.S.C. § 1681 *et seq.*
    - (b) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 C.F.R. part 25.
- f. Age Discrimination.

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- (1) Federal Transit Law, 49 U.S.C. § 5332, as amended by MAP-21.
- (2) The Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 *et seq.*
- (3) U.S. Health and Human Services regulations, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance,” 45 C.F.R. part 90.
- (4) The Age Discrimination in Employment Act (ADEA) 29 U.S.C. §§ 621 – 634.
- (5) U.S. Equal Employment Opportunity Commission (U.S. EEOC) regulations, “Age Discrimination in Employment Act,” 29 C.F.R. part 1625.

g. Accessibility for Elderly Individuals and Individuals with Disabilities.

- (1) General Accessibility.
  - (a) ADA, 42 U.S.C. § 12101 *et seq.*
  - (b) U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 C.F.R. part 37.
  - (c) U.S. DOT regulations, “Transportation for Individuals with Disabilities: Passenger Vessels,” 49 C.F.R. part 39.
- (2) Accessibility in Federally Assisted Programs.
  - (a) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794.
  - (b) FTA regulations, “Transportation for Elderly and Handicapped Persons,” 49 C.F.R. part 609.
  - (c) U.S. DOT regulations, “Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance,” 49 C.F.R. part 27.
- (3) Accessibility to Governmental Programs.
  - (a) U.S. General Services Administration (U.S. GSA) regulations, “Accommodations for the Physically Handicapped,” 41 C.F.R. Subpart 101-19.
  - (b) U.S. DOJ regulations, “Nondiscrimination on the Basis of Disability in State and Local Government Services,” 28 C.F.R. part 35.

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(4) Employment.

- (a) U.S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 C.F.R. part 1630.

(5) Architectural Requirements.

- (a) Architectural Barriers Act of 1968, as amended, 42 U.S.C. § 4151 *et seq.*
- (b) Joint U.S. Architectural and Transportation Barriers Compliance Board (ATBCB)/U.S. DOT regulations, “Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles,” 36 C.F.R. part 1192 and 49 C.F.R. part 38.
- (c) U.S. DOJ regulations, “Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities,” 28 C.F.R. part 36.

(6) Access to Electronic and Information Technology.

- (a) U.S. ATBCB regulations, “Electronic and Information Technology Accessibility Standards,” 36 C.F.R. part 1194.
- (b) U. S. Federal Communications Commission regulations, “Telecommunications Relay Services and Related Customer Premises Equipment for the Hearing and Speech Disabled,” 47 C.F.R. part 64, Subpart F.

h. Limited English Proficiency.

- (1) Executive Order No. 13166, “Improving Access to Services for Persons with Limited English Proficiency,” August 11, 2000, 42 U.S.C. § 2000d-1 note.
- (2) U.S. DOT Notice “DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency (LEP) Persons,” 70 *Fed. Reg.* 74087, December 14, 2005.

i. Confidentiality – Alcohol Treatment.

- (1) Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. § 1101 *et seq.*
- (2) Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. § 4541 *et seq.*

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(3) Public Health Service Act, as amended, 42 U.S.C. §§ 290dd – 290dd-2.

j. Environmental Justice.

- (1) Executive Order No. 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” 42 U.S.C. § 4321 note.
- (2) DOT Order 5610.2, “Department of Transportation Actions To Address Environmental Justice in Minority Populations and Low-Income Populations,” 62 *Fed. Reg.* 18377 *et seq.*, April 15, 1997.
- (3) The most recent and applicable edition of FTA Circular 4703.1, “Environmental Justice Policy Guidance for Federal Transit Administration Recipients,” August 15, 2012, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

27. Environmental Protections.

a. General.

- (1) National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 – 4335.
  - (a) Stafford Act, 42 U.S.C. § 5159 – Exceptions for Stafford Act projects.
- (2) Executive Order No. 11514, as amended, “Protection and Enhancement of Environmental Quality,” 42 U.S.C. § 4321 note.
- (3) U.S. Council on Environmental Quality regulations on compliance with the National Environmental Policy Act of 1969, as amended, 40 C.F.R. parts 1500 – 1508.
- (4) FTA environmental protections.
  - (a) Scattered subsections of Federal Transit Law, 49 U.S.C. §§ 5303 and 5304, as amended by MAP-21.
  - (b) FTA environmental protections, Federal Transit Law, 49 U.S.C. § 5324(b) in effect in Fiscal Year 2012 or a previous fiscal year.
- (5) Efficient environmental procedures, 23 U.S.C. § 139.
- (6) Assignment to States of responsibility for categorical exclusions, 23 U.S.C. § 326.
- (7) Joint FHWA/FTA regulations, “Environmental Impact and Related Procedures,”

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23 C.F.R. part 771 and 49 C.F.R. part 622.

- (8) Joint FHWA/FTA final guidance, “SAFETEA-LU Environmental Review Process (Pub. L. 109-59),” 71 Fed. Reg. 66576 et seq., November 15, 2006.
- (9) Joint FHWA and FTA, “Interim Guidance on MAP-21 Section 1319 Accelerated Decisionmaking in Environmental Reviews,” January 14, 2013.

b. Special Statutory Requirements for FTA and FHWA.

- (1) Environmental Requirements for FHWA, 23 U.S.C. §§ 139 and 326.
- (2) Environmental Requirements for FHWA, 23 U.S.C. § 138.
- (3) FHWA/FTA final guidance, “SAFETEA-LU Environmental Review Process (Pub. L. 109-59),” 71 *Fed. Reg.* 66576 et seq. November 15, 2006.
- (4) Department of Transportation Act, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
- (5) Joint FHWA/FTA regulations, “Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites,” 23 C.F.R. part 774, and referenced in 49 C.F.R. part 622.

c. Air Quality.

- (1) Clean Air Act, as amended, 42 U.S.C. §§ 7401 – 7671q, in particular, Section 306(c) of the Clean Air Act 42 U.S.C. § 7606(h).
- (2) Executive Order No. 11738, “Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans,” 42 U.S.C. § 7606 note.
- (3) U.S. EPA regulations, “Determining Conformity of Federal Actions to State or Federal Implementation Plans,” 40 C.F.R. part 93.
- (4) U.S. EPA regulations, “Control of Air Pollution from Mobile Sources,” 40 C.F.R. part 85.
- (5) U.S. EPA regulations, “Control of Air Pollution from New and In-Use Motor Vehicles and New and In-Use Motor Vehicle Engines,” 40 C.F.R. part 86.
- (6) U.S. EPA regulations, “Fuel Economy of Motor Vehicles,” 40 C.F.R. part 600.

d. Water.



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- (1) Clean Water Act, as amended, 33 U.S.C. §§ 1251 – 1377, in particular. Section 508 of the Clean Water Act, as amended, 33 U.S.C. § 1368 – Notice of violating facilities.
  - (2) Executive Order No. 11738, “Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans,” 42 U.S.C. § 7606 note.
  - (3) Safe Drinking Water Act of 1974, as amended, 42 U.S.C. §§ 300f – 300j-6.
- e. Protection of Public Parks and Recreation Lands, Wildlife and Waterfowl Refuges.
- (1) Department of Transportation, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
  - (2) Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. §§ 1271 – 1287.
    - (a) U.S. Forest Service regulations, “Wild and Scenic Rivers,” 36 C.F.R. part 297.
    - (b) U.S. Bureau of Land Management regulations, “Management Areas,” 43 C.F.R. part 8350.
  - (3) Coastal Zone Management Act of 1972, as amended, 16 U.S.C. §§ 1451 – 1465.
  - (4) Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 – 1544.
  - (5) Magnuson Stevens Fisheries Conservation Act, as amended, 16 U.S.C. § 1801 *et seq.*
  - (6) Executive Order No. 11990, as amended, “Protection of Wetlands,” 42 U.S.C. § 4321 note.
  - (7) Executive Order No. 11988, as amended, “Floodplain Management,” 42 U.S.C. § 4321 note.
- f. Corridor Preservation.
- (1) 49 U.S.C. § 5323(q), as amended by MAP-21.
- g. Protection of Historic Sites.
- (1) Department of Transportation, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
  - (2) Section 106 of the National Historic Preservation Act, as amended, 16 U.S.C. § 470f.

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- (3) Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. §§ 469a – 469c.
- (4) Executive Order No. 11593, “Protection and Enhancement of the Cultural Environment,” 16 U.S.C. § 470 note.
- (5) U.S. Advisory Council on Historic Preservation regulations, “Protection of Historic and Cultural Properties,” 36 C.F.R. part 800.

h. Conservation and Recycling.

- (1) Resource Conservation and Recovery Act, as amended, 42 U.S.C. §§ 6901 -6992k.
- (2) U.S. Environmental Protection Agency (U.S. EPA), “Comprehensive Procurement Guideline for Products Containing Recovered Materials,” 40 C.F.R. part 247.

i. Hazardous Waste.

- (1) Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. §§ 9601 – 9675.

28. Energy Conservation.

- a. Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6321 *et seq.*
- b. FTA regulations, “Requirements for Energy Assessments,” 49 C.F.R. part 622. Subpart C.

29. Geographic Information and Related Spatial Data.

- a. U.S. OMB Circular A-16, “Coordination of Geographic Information and Related Spatial Data Activities,” August 19, 2002.
- b. U.S. OMB Circular A-16 Supplemental Guidance, “Geospatial Line of Business,” November 10, 2010.

30. Security.

- a. Section 101(e) of the Aviation and Transportation Security Act, 49 U.S.C. § 40119(b).
- b. U.S. DOT regulations, “Protection of Sensitive Security Information,” 49 C.F.R. part 15.
- c. Department of Transportation Act, 49 U.S.C. § 114(r).

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- d. U.S. Department of Homeland Security, Transportation Security Administration regulations, “Protection of Sensitive Security Information,” 49 C.F.R. part 1520.
- e. Federal Transit Law, 49 U.S.C. § 5307(c)(1)(J)(i), as amended by MAP-21.
- f. Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(J)(i), in effect in Fiscal Year 2012 or a previous fiscal year.

31. Safety.

a. Public Transportation Safety Program.

- (1) Federal Transit Law, 49 U.S.C. § 5329(a) – (d), as amended by MAP-21.

b. State Safety Oversight.

- (1) Federal Transit Law, 49 U.S.C. § 5329(b), as amended by MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5330 in effect in FY 2012 or a previous fiscal year and until 3 years after new regulations become effective.
- (3) FTA regulations, “Rail Fixed Guideway Systems; State Safety Oversight,” 49 C.F.R. part 659.
- (4) The most recent and applicable edition of FTA Circular 5800.1, “Safety and Security Management Guidance for Major Capital Projects,” August 1, 2007, to the extent it is consistent with applicable Federal laws, regulations, and guidance.

c. Facilities and Operations.

(1) Motor Carrier.

- (a) U.S. Federal Motor Carrier Safety Administration (FMCSA) regulations, “Minimum Levels of Financial Responsibility for Motor Carriers,” 49 U.S.C. part 387, as modified by 49 U.S.C. § 31138(e)(4).
- (b) U.S. FMCSA regulations, Subpart B, “Federal Motor Carrier Safety Regulations,” 49 C.F.R. parts 390 – 396.
- (c) U.S. FMCSA regulations, “Commercial Driver’s License Standards, Requirements, and Penalties,” 49 C.F.R. part 383.

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- (d) U.S. FMCSA's regulations, "Drug and Alcohol Use and Testing Requirements," 49 C.F.R. part 382.
- (2) Rail Safety.
  - (a) Federal Transit Law, 49 U.S.C. § 5329, as amended by MAP-21.
  - (b) Federal Transit Law, former 49 U.S.C. § 5330 in effect in FY 2012 or a previous fiscal year.
  - (c) FTA regulations, "Rail Fixed Guideway Systems; State Safety Oversight," 49 C.F.R. part 659.
- (3) Hazardous Material Shipments.
  - (a) U.S. Pipeline and Hazardous Materials Safety Administration regulations, "Shippers - General Requirements for Shipments and Packagings," 49 C.F.R. part 173.
- (4) Lead Paint.
  - (a) Section 401(b) of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. § 4831(b).
  - (b) U.S. Housing and Urban Development regulations, "Lead-based Paint Poisoning in Certain Residential Structures," 42 C.F.R. part 35.
- (5) Earthquake.
  - (a) Earthquake Hazards Reduction Act of 1977, as amended, 42 U.S.C. § 7701 *et seq.*
  - (b) U.S. DOT regulations, "Seismic Safety," 49 C.F.R. part 41, (specifically, 49 C.F.R. § 41.117).
  - (c) Executive Order No. 12699, "Seismic Safety of Federal and Federally-Assisted or Regulated New Building Construction," 42 U.S.C. § 7704 note.
- (6) Seat Belt Use.
  - (a) Executive Order No. 13043, "Increasing Seat Belt Use in the United States," April 16, 1997, 23 U.S.C. § 402 note.
- (7) Distracted Driving.

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- (a) Executive Order No. 13513, “Federal Leadership on Reducing Text Messaging While Driving,” October 1, 2009, 23 U.S.C. § 402 note.
  - (b) DOT Order 3902.10, “Text Messaging While Driving,” December 30, 2009, 23 U.S.C. § 402 note.
- d. Drug and Alcohol.
  - (1) Workplace.
    - (a) Drug-Free Workplace Act of 1988, 41 U.S.C. § 8103.
    - (b) U.S. DOT regulations, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” 49 C.F.R. part 32.
    - (c) U.S. OMB Guidance, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” 2 C.F.R. part 182.
  - (2) Public Transportation Operations.
    - (a) 49 U.S.C. § 5331, as amended by MAP-21.
    - (b) FTA regulations, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations,” 49 C.F.R. part 655.
    - (c) U.S. FMCSA regulations, “Drug and Alcohol Use and Testing Requirements,” 49 C.F.R. part 382.
- e. Federal Motor Carrier Safety Requirements.
  - (1) U.S. FMCSA regulations, “Federal Motor Carrier Safety Regulations,” 49 C.F.R. parts 390 – 396.
  - (2) FMCSA’s regulations, “Commercial Driver’s License Standards, Requirements, and Penalties,” 49 C.F.R. part 383.
- f. Research Project Protections for People.
  - (1) National Research Act, 42 U.S.C. § 289 *et seq.*
  - (2) U.S. DOT regulations, “Protection of Human Subjects,” 49 C.F.R. part 11.
- g. Research Project Protections for Animals.

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- (1) Animal Welfare Act, as amended, 7 U.S.C. § 2131 *et seq.*
- (2) U.S. Department of Agriculture regulations, “Animal Welfare,” 9 C.F.R. Subchapter A, parts 1, 2, 3, and 4.

32. \$1 Coins.

- a. Section 104 of the Presidential \$1 Coin Act of 2005, 31 U.S.C. § 5112(p).

33. Political Activity Restrictions.

- a. Hatch Act.

- (1) 5 U.S.C. §§ 1501 – 1508, 7324 – 7326.
- (2) U.S. Office of Personnel Management regulations, “Political Activity of State or Local Officers or Employees,” 5 C.F.R. part 151.

- b. Exceptions to the Hatch Act for Transit Employees.

- (1) Federal Transit Law, 49 U.S.C. § 5323(l)(2), as amended by MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5307(k)(2)(B) in effect in FY 2012 or a previous fiscal year.
- (3) 23 U.S.C. § 142(g) (unchanged by MAP-21).

34. Qualification for Half-Fare Privileges in Certain Programs.

- a. “Senior.”

- (1) Federal Transit Law, 49 U.S.C. §§ 5302(18) and 5307(c)(1)(D)(i), as amended by MAP-21.

- b. “Elderly Individual.”

- (1) Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(D) in effect in FY 2012 or a previous fiscal year.

- c. “Infirm/handicapped”/“permanent disability.”

- (1) Federal Transit Law, 49 U.S.C. § 5307(c)(1)(D)(ii), as amended by MAP-21.

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d. Meaning of Disability.

- (1) Federal Transit Law, 49 U.S.C. § 5302(5), as amended by MAP-21.
- (2) The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12102, 42 U.S.C. § 12102.
- (3) Federal Transit Law, 49 U.S.C. § 5307(c)(1)(D)(ii), as amended by MAP-21.

e. Handicapped person (described).

- (1) Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(D) in effect in FY 2012 or a previous fiscal year.

f. Exceptions to Restrictions.

- (1) Title II of the Social Security Act, 42 U.S.C. § 401 *et seq.*
  - (a) Federal Transit Law, 49 U.S.C. § 5307(d)(1)(iii), as amended by MAP-21.
  - (b) Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(D) in effect in FY 2012 or a previous fiscal year.
- (2) Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 *et seq.*
  - (1) Federal Transit Law, 49 U.S.C. § 5307(d)(1)(iii), as amended by MAP-21.
  - (2) Federal Transit Law, former 49 U.S.C. § 5307(d)(1)(D) in effect in FY 2012 or a previous fiscal year.

35. Cost Restrictions.

a. General – Governmental.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, ” 49 C.F.R. § 18.22(b).
- (2) U.S. OMB, “Cost Principles for State, Local, and Indian Tribal Governments (U.S. OMB Circular A-87),” 2 C.F.R. part 225.
- (3) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

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b. General – Nongovernmental.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.27.
- (2) U.S. OMB, “Cost Principles for Educational Institutions (U.S. OMB Circular A-21),” 2 C.F.R. part 220.
- (3) U.S. OMB, “Cost Principles for Nonprofit Organizations (U.S. OMB Circular A-122),” 2 C.F.R. part 230, and Appendix C.
- (4) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.
- (5) The Federal Acquisition Regulation (FAR), 48 C.F.R. part 31, “Contract Cost Principles and Procedures.”

c. Specific Situations.

(1) Ordinary governmental or nonproject operating cost.

- (a) Federal Transit Law, 49 U.S.C. § 5323(h)(1).

(2) Profit or fee for the Recipient’s services.

- (a) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.22(a)(2).
- (b) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.27(a)(2).

(3) Bond interest restrictions.

- (a) Throughout 49 U.S.C. chapter 53, especially 49 U.S.C. §§ 5309 and 5307, as well as for projects that must comply with 49 U.S.C. § 5307.

36. Local Share Restrictions.



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a. Federal/local share requirements.

- (1) Various provisions of FTA and FHWA enabling legislation.

b. Definition of net project cost.

- (1) Federal Transit Law, 49 U.S.C. § 5302(12), as amended by MAP-21.
- (2) Federal Transit Law, former 49 U.S.C. § 5302(a)(8) in effect in Fiscal Year 2012 or a previous fiscal year.

c. Ordinary governmental or nonproject operating cost.

- (1) Federal Transit Law, 49 U.S.C. § 5323(h).

d. Bond proceeds as local share.

- (1) Federal Transit Law, 49 U.S.C. § 5323(e), as amended by MAP-21.

e. Transportation development credits (formerly toll revenue credits)

- (1) Federal Transit Law, 49 U.S.C. § 120(i), and

f. Funds made available under the Federal Lands Highway Program.

- (1) 23 U.S.C. § 204,

g. Parts of the Social Security Act that generally prohibit use as local share.

- (1) Title II of the Social Security Act, 42 U.S.C. § 401 *et seq.*
- (2) Title XVIII of the Social Security Act, 42 U.S.C. § 1395 *et seq.*

h. Local Share General Requirements.

- (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.24.
- (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.23.

37. Cash Withdrawal Restrictions.

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- a. Section 5(b) of the Cash Management Improvement Act of 1990, as amended, 31 U.S.C. § 6503(b).
- b. U.S. Department of Treasury regulations, “Rules and Procedures for Funds Transfers,” 31 C.F.R. part 205.
- c. U.S. Department of Treasury-U.S. Department of Justice regulations, “Standards for the Administrative Collection of Claims,” 31 C.F.R. § 901 *et seq.*, in particular, subsection 901.9(i).
- d. ECHO System Operations Manual, “Guidelines for Disbursements” for FTA Projects.

38. Program Income.

- a. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.25.
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.24.
- c. U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

39. Oversight and Audit.

- a. Project Management Oversight.
  - (1) Federal Transit Law, 49 U.S.C. § 5327(a).
  - (2) FTA regulations, “Project Management Oversight,” 49 C.F.R. part 633.
  - (3) The most recent and applicable edition of FTA Circular 5800.1, “Safety and Security Management Guidance for Major Capital Projects,” to the extent it is consistent with applicable Federal laws, regulations, and guidance.
  - (4) FTA guidance, “Notice of Availability of New Starts and Small Starts Policy Guidance,” (*were published in the Federal Register, 78 Fed. Reg. 49372 et seq., August 14, 2013*).
  - (5) FTA guidance, “Notice of Availability of New Starts and Small Starts Policy Guidance, published in the Federal Register, 78 Fed. Reg. 49372 *et seq.*, August 14, 2013.

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b. Audit.

- (1) Federal Transit Law, 49 U.S.C. § 5325(g).
- (2) Federal Transit Law, 49 U.S.C. § 5307(h).
- (3) Single Audit Act Amendments of 1996, 31 U.S.C. § 7501 *et seq.*
- (4) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.26.
- (5) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.26.
- (6) U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.
- (7) U.S. OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” Revised.
- (8) Most recent U.S. OMB A-133 Compliance Supplement provisions for the Department of Transportation.
- (9) U.S. Government Accountability Office, “Government Auditing Standards.”

40. National Transit Database.

- a. Federal Transit Law, 49 U.S.C. § 5335(a).
- b. FTA regulations, “Uniform System of Accounts and Records and Reporting System,” 49 C.F.R. part 630.

41. Transparency Act Reporting.

- a. Federal Funding Accountability and Transparency Act of 2006 (FFATA), Pub. L. 109-282.
- b. Section 6202 of the Department of Defense Appropriations Act for Fiscal Year 2008, Pub. L. 110-252, June 30, 2008.

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- c. Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, Pub. L. 110-417, Oct. 14, 2008.
- d. Section 13(a) of the Securities Exchange Act of 1934, 15 U.S.C. § 78m(a).
- e. Section 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. § 78o(d).
- f. Section 6104 of the Internal Revenue Code of 1986.
- g. U.S. OMB Guidance “Universal Identifier and Central Contractor Registration” 2 C.F.R. part 25.
- h. U.S. OMB Interim Final Guidance “Reporting Subawards and Executive Compensation,” 2 C.F.R. part 170.
- i. U.S. OMB Proposed Guidance, “Recipient Integrity and Performance Matters,” 2 C.F.R. part 35.

42. Record Retention.

- a. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.36(i)(11).
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.53(b).

43. Access. to Records.

- a. Federal Transit Law, 49 U.S.C. § 5325(g), as amended by MAP-21.
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.36(i)(10).
- c. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.53(e).
- d. U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

44. Access. to Sites of Project Performance.

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- a. Federal Transit Law, 49 U.S.C. § 5325(g), as amended by MAP-21.
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. § 18.40(e).
- c. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. § 19.51(g).
- d. U.S. Office of Management and Budget (U.S. OMB), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. part 200 and U.S. DOT’s implementing regulations, 2 C.F.R. part 1201, when effective.

45. Availability of Information.

- a. Freedom of Information Act, 5 U.S.C. § 552.

46. Debts and Claims.

a. Debts.

- (1) Cash Management Improvement Act of 1990, as amended, 31 U.S.C. § 6503(b), section 5(b).
- (2) U.S. Treasury regulations, “Rules and Procedures for Efficient Federal-State Funds Transfers,” 31 C.F.R. part 205.
- (3) 31 U.S.C. § 3717 (Treasury tax and loan account interest rate).
- (4) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ) regulations, “Standards for the Administrative Collection of Claims,” 31 C.F.R. § 901.9(i).

b. Claims.

- (1) Debt Collection Act of 1982, as amended, 31 U.S.C. § 3701 *et seq.*
- (2) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ) regulations, “Standards for the Administrative Collection of Claims,” 31 C.F.R. § 901.9(a) – (g).
- (3) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ) regulations, “Standards for the Administrative Collection of Claims,” 31 C.F.R. § 901.9(i).

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47. Fraud.

a. Civil Fraud.

- (1) Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 *et seq.*
- (2) U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 C.F.R. part 31.

b. Criminal Fraud.

- (1) U.S. Criminal Code, 18 U.S.C. § 1001.
- (2) Federal Transit Law, 49 U.S.C. § 5323(l), invoking 18 U.S.C. § 1001.