

**§ 665.7**

*Recipient* means an entity which receives funds under sections 3, 9, 16(b)(2), or 18 of the FT Act, either directly from FTA or through a State administering agency.

*Small bus manufacturer* means a secondary market assembler that acquires a chassis or van from an original equipment manufacturer for subsequent modification/assembly and sale as 5-year/150,000-mile and/or 4-year/100,000-mile minimum service life vehicles.

*Test report* means the final document prepared by the operator of the bus testing facility stating the results of the tests performed on each bus.

*Unmodified mass-produced chassis* means a vehicle that is manufactured from an incomplete, partially assembled mass-produced chassis as provided by an OEM to a small bus manufacturer. This includes vehicles whose chassis structure has either not been modified, or is modified in strict conformance with the OEM's modification guidelines. The addition of a tandem or tag axle would exclude a bus model from this definition.

*Unmodified mass-produced van* means a vehicle that is mass-produced, complete and fully assembled as provided by an OEM. This includes vans with raised roofs, and/or wheelchair lifts, or ramps that are installed by the OEM, or by a party other than the OEM provided that the installation of these components is completed in strict conformance with the OEM modification guidelines.

[57 FR 33397, July 28, 1992, as amended at 58 FR 58733, Nov. 3, 1993]

**§ 665.7 Grantee certification of compliance.**

(a) In each application to the FTA for the purchase or lease of buses, a recipient shall certify that any new bus model, or any bus model with a major change in configuration or components, to be acquired or leased with funds obligated by the FTA after September 30, 1989, will be tested at the bus testing facility, and a test report provided before final acceptance of the first vehicle by the recipient.

(b) It is the responsibility of the recipient in dealing with a manufacturer, to determine whether a vehicle to be acquired is subject to these procedures.

**49 CFR Ch. VI (10-1-05 Edition)**

**Subpart B—Bus Testing Procedures**

**§ 665.11 Testing requirements.**

(a) A new bus model to be tested at the bus testing facility shall—

(1) Be a single model;

(2) Meet all applicable Federal Motor Vehicle Safety Standards, as defined by the National Highway Traffic Safety Administration in part 571 of this title;

(3) Be substantially fabricated and assembled by techniques and tooling that will be used in production of subsequent buses of that model.

(b) If the new bus model had not been previously tested at the bus testing facility, then the new bus model shall undergo the full tests requirements for maintainability, reliability, safety, performance, structural integrity, fuel economy, and noise;

(c) If the new bus model had not been previously tested at the bus testing facility and is being produced on a mass produced chassis that has been previously tested on another bus model at the bus testing facility, then the new bus model may undergo partial testing requirements;

(d) If the new bus model had been previously tested at the bus testing facility, then the new bus model may undergo partial testing requirements.

(e) The following vehicle types shall be tested:

(1) Minimum service life of 12 years or 500,000 miles—typified by heavy duty large buses, approximately 35-40 foot, as well as articulated buses.

(2) Minimum service life of ten years or 350,000 miles—typified by heavy duty small buses, approximately 30 foot.

(3) Minimum service life of seven years or 200,000 miles—typified by medium duty mid-size buses, approximately 25-35 foot.

(4) Minimum service life of five years or 150,000 miles—typified by light duty mid-size buses, approximately 25-35 foot.

(5) Minimum service life of four years or 100,000 miles—typified by light duty small buses, cutaways, and modified vans, approximately 16-28 foot.

(f) Tests performed in a higher service life category (*i.e.*, longer service life) need not be repeated when the same bus model is used in lesser service life applications. However, the use of a

bus model in a service life application higher than it has been tested for may make the bus subject to the bus testing requirements.

(g) The operator of the facility shall develop a test plan for the testing of vehicles at the facility, which generally follows the guidelines set forth in appendix A of this part.

**§ 665.13 Test report and manufacturer certification.**

(a) Upon completion of testing, the operator of the facility shall provide a test report to the entity that submitted the bus for testing.

(b)(1) A manufacturer of a new bus model or a bus produced with a major change in component or configuration shall provide a copy of the test report to a recipient during the point in the procurement process specified by the recipient.

(2) A manufacturer who releases a report under paragraph (b)(1) of this section also shall provide notice to the operator of the facility that the report is available to the public.

(c) If a bus model subject to a test report has a change that is not a major change under this part, the manufacturer shall advise the recipient during the procurement process and shall include description of the change and its basis for concluding that it is not a major change.

(d) A test report shall be available publicly once the owner of the report makes it available during the recipient's procurement process. The operator of the facility will have available for distribution copies of all the publicly available reports.

(e) The test report is the only information or documentation that will be made available publicly in connection with any bus model tested at the facility.

**Subpart C—Operations**

**§ 665.21 Scheduling.**

(a) A manufacturer may schedule a vehicle for testing by contacting Penn State's Transportation Institute (PSTI) at the following address: The Pennsylvania State University, Pennsylvania Transportation Institute, Re-

search Building B, University Park, PA 16802, (814) 863-1889.

(b) Upon contacting PSTI, the manufacturer will be provided the following:

(1) A draft contract for the testing;

(2) A fee schedule; and

(3) The draft test procedures that will be conducted on the vehicle.

(c) PSTI will provide final test procedures to be conducted on the vehicle at the time of contract execution.

(d) PSTI will process vehicles for testing in the order in which the contracts are signed.

**§ 665.23 Fees.**

(a) Fees charged by the operator are according to a schedule approved by the FTA, which include different fees for partial testing.

(b) Fees will be prorated for a vehicle withdrawn from the facility before the completion of testing.

**§ 665.25 Transportation of vehicle.**

A manufacturer is responsible for transporting its vehicle to and from the facility at the beginning and completion of the testing.

**§ 665.27 Procedures during testing.**

(a) The facility operator shall perform all testing, consistent with established procedures at the facility and with the test procedures provided to the manufacturer at the time of contract execution.

(b) The manufacturer of a bus being tested may terminate the test program at any time before the completion of testing, and shall be charged a fee for the tests performed.

(c) The operator shall perform all maintenance and repairs on the test vehicle, consistent with manufacturers specifications, unless the operator determines that the nature of the maintenance or repair is best performed by the manufacturer under the operator's supervision.

(d) The manufacturer may observe all tests. The manufacturer may not provide maintenance or service unless requested to do so by the operator.