

Office of the Secretary of Transportation

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Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 1.46 Delegations to the Administrator of the Research and Innovative Technology Administration.

The Administrator of the Research and Innovative Technology Administration is delegated authority for the following:

(a) *Coordination of Departmental research and development programs and activities.* (1) Coordinate, facilitate, and review all Departmental research and development programs and activities, except as limited by section 4(b)(1) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. 108-426, 118 Stat. 2423).

(2) After consultation with modal and OST offices, RITA shall make recommendations to the Secretary on all modal and OST research budgets.

(b) *Science and technology.* (1) With respect to scientific and technological matters, serve as principal advisor to the Secretary and representative of the Department to the academic community, the private sector, professional organizations, and other Government agencies.

(2) Serve as principal liaison official for the Department of Transportation with the Office of Science and Technology Policy in the Executive Office of the President, the National Science and Technology Council, and the President's Committee of Advisors on Science and Technology.

(3) Serve as primary official responsible for coordination and oversight of the Department's implementation of section 2 of the Federal Technology Transfer Act of 1986 (15 U.S.C. 3710a), relating to the transfer of Federal technology to the marketplace; and section 12(d) of the National Technology Transfer and Advancement Act of 1996 (Pub. L. 104-113), as implemented by OMB Circular A-119: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities.

(4) Serve as Chair and Executive Secretary of the Department of Transportation's Research, Development and Technology Planning Council.

(5) Serve as Chair and Executive Secretary of the Department of Transportation Research, Development and Technology Planning Team.

(6) Carry out the functions vested in the Secretary by section 5108 of the Transportation Equity Act for the 21st Century (23 U.S.C. 508), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108-310, September 30, 2004, 118 Stat. 1144.

(7) Advocate Department of Transportation policy and program coordination efforts associated with transportation research.

(8) Represent the Department of Transportation on departmental, national and international committees and meetings dealing with transportation R&D.

(9) Manage the strategic planning process for transportation R&D across the Department of Transportation and, through the National Science and Technology Council, across the Federal Government.

(10) Conduct transportation system-level assessments and policy research.

(11) Facilitate the creation of transportation public/private partnerships.

(12) Foster innovation in the transportation sector.

(13) Disseminate information on departmental, national, and international transportation R&D activities.

(14) Manage and coordinate a nationwide program of transportation research, education and technology transfer through grants to university transportation centers and foster university participation in the planning, conduct and analysis of transportation research.

(15) Manage department- and government-wide (inter/multimodal) transportation R&D programs.

(16) Oversee advisory boards that deal with transportation system-level R&D assessments and issues, such as the National Research Council Committee on the Federal Transportation R&D Strategic Planning Process.

(c) *Advanced vehicle technology.* Carry out the functions vested in the Secretary by section 5111 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5506), as extended by the Surface Transportation Extension Act of

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2004, Part V, Public Law 108-310, September 30, 2004, 118 Stat. 1144, and section 5513(j) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109-59, August 10, 2005, 119 Stat. 1144.

(d) *Remote sensing technology.* Carry out the functions vested in the Secretary by section 5113 of the Transportation Equity Act for the 21st Century (23 U.S.C. 502 Note), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108-310, September 30, 2004, 118 Stat. 1144, and section 5506 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109-59, August 10, 2005, 119 Stat. 1144.

(e) *University transportation research.* Carry out the functions vested in the Secretary by section 5110 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5505), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108-310, September 30, 2004, 118 Stat. 1144, and sections 5401 and 5402 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle D, Public Law 109-59, August 10, 2005, 119 Stat. 1144.

(f) *Volpe National Transportation Systems Center.* Exercise the authority vested in the Secretary with respect to the activities of the Volpe National Transportation Systems Center and carry out the functions vested in the Secretary by 49 U.S.C. 328 with respect to the working capital fund for financing the activities of the Volpe National Transportation Systems Center.

(g) *Transportation Safety Institute.* Exercise authority over the Transportation Safety Institute.

(h) *Transportations Statistics.* Exercise the authority and carry out the functions vested in the Secretary by 49 U.S.C. 112(d)(1)(C) relating to transportation statistics, analysis, and reporting.

(i) *Intermodalism.* Carry out the functions vested in the Secretary by 49 U.S.C. 5503(d) and Section 4149 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title IV, Subtitle A and Section 5209, Title V, Subtitle B, Public

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Law 109-59, August 10, 2005, 119 Stat. 1144.

(j) *Aviation information.* (1) Carry out the functions vested in the Secretary by 49 U.S.C. 329(b)(1) relating to the collection and dissemination of information on civil aeronautics.

(2) Carry out the functions vested in the Secretary by section 4(a)(7) of the Civil Aeronautics Board Sunset Act of 1984 (October 4, 1984; Pub. L. 98-443) relating to the reporting of the extension of unsecured credit to political candidates (section 401, Federal Election Campaign Act of 1971; 2 U.S.C. 451), in conjunction with the General Counsel and the Assistant Secretary for Aviation and International Affairs.

(3) Carry out the functions vested in the Secretary by: 49 U.S.C. 40113 (relating to taking such actions and issuing such regulations as may be necessary to carry out responsibilities under the Act), 49 U.S.C. 41702 (relating to the duty of carriers to provide safe and adequate service), 49 U.S.C. 41708 and 41709 (relating to the requirement to keep information and the forms in which it is to be kept), and 49 U.S.C. 41701 (relating to establishing just and reasonable classifications of carriers and rules to be followed by each) as appropriate to carry out the responsibilities under this paragraph in conjunction with the General Counsel and the Assistant Secretary for Aviation and International Affairs.

(k) *Hazardous materials information.* In coordination with the Under Secretary for Transportation Policy, work with the Operating Administrations to determine data needs, collection strategies, and analytical techniques appropriate for implementing 49 U.S.C. 5101 *et seq.*

(l) *Research grants.* Carry out the functions vested in the Secretary by section 5513(c), (d), (g), (h), (i), (l), and (m) (as (m) relates to (c), (d), (g), (h), (i), (j), and (l)) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109-59, August 10, 2005, 119 Stat. 1144.

(m) *Biobased transportation research.* Carry out the functions vested in the Secretary by section 5201(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy

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for Users, Title V, Subtitle B, Public Law 109-59, August 10, 2005, 119 Stat. 1144.

(n) *Transportation research and development strategic planning.* Carry out the function vested in the Secretary by Section 5208 of Public Law 109-59, 119 Stat. 1144 (Aug. 10, 2005).

[70 FR 8300, Feb. 18, 2005, as amended at 71 FR 30830, May 31, 2006; 71 FR 52753, Sept. 7, 2006]

§ 1.47 Delegations to Federal Aviation Administrator.

The Federal Aviation Administrator is delegated authority to:

(a) Carry out the powers and duties transferred to the Secretary of Transportation by, or subsequently vested in the Secretary by virtue of, section 6(c)(1) of the Department of Transportation Act (49 U.S.C. 1655(c)(1)), including those pertaining to aviation safety (except those related to transportation, packaging, marking, or description of hazardous materials) and vested in the Secretary by section 308(b) of title 49 U.S.C. and sections 306-309, 312-314, 1101, 1105, and 1111 and titles VI, VII, IX (excluding section 902(h)), and XII of the Federal Aviation Act of 1958, as amended.

(b) Carry out title XIII of the Federal Aviation Act of 1958, as amended (72 Stat. 800; 49 U.S.C. 1531 *et seq.*), relating to aviation insurance.

(c) Carry out the functions vested in the Secretary by the Act of September 7, 1957 (71 Stat. 629; 49 U.S.C. 1324 note), as amended by section 6(a)(3)(B) of the Department of Transportation Act, relating to the guarantee of aircraft purchase loans, and those functions which relate to the issuance of obligations to finance the expenses of such guarantees.

(d) Administer Executive Orders 11419 and 11322 relating to prohibited aviation operations and the prohibited carriage of commodities and products to and from Southern Rhodesia. Carry out the functions vested in the Secretary by Executive Order 12183.

(e) Provide certain facilities and services to FAA employees and their dependents at remote locations (49 U.S.C. 1659).

(f) Carry out the functions vested in the Secretary by:

(1) The Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 *et seq.*), except sections 3 and 4 (49 U.S.C. 1702, 1703).

(2) Sections 208 and 209 of the Airport and Airway Revenue Act of 1970, as amended (49 U.S.C. 1742, 1742 note); and

(3) Sections 21, 22, 23(b), 24, and 25 of the Airport and Airway Development Act Amendments of 1976 (49 U.S.C. 1346(a), 1348 note, 1713 note, 1356a, 1704).

(g) Carry out the functions vested in the Secretary by part B of title II of the Clean Air Act, as amended (84 Stat. 1703), and by 40 CFR part 87 as it relates to exemptions from aircraft air pollution standards.

(h) Carry out the functions of the Secretary under section 208 of the Appalachian Regional Development Act of 1965 (85 Stat. 168; 40 U.S.C. App. 208).

(i) Carry out the functions vested in the Secretary by section 902(h)(2) of the Federal Aviation Act of 1958, as amended, as it relates to enforcement of hazardous materials regulations as they apply to the transportation or shipment of such materials by air.

(j)(1) Except as delegated by § 1.74(a), carry out the functions vested in the Secretary by 49 U.S.C. 5121(a), (b), (c), and (d), 5122, 5123, and 5124, with particular emphasis on the transportation or shipment of hazardous materials by air.

(2) Carry out the functions vested in the Secretary by 49 U.S.C. 5114 as it relates to the establishment of procedures for monitoring and enforcing provisions of regulations with respect to the transportation of radioactive materials on passenger-carrying aircraft.

(k) [Reserved]

(l) Serve, or designate a representative to serve, as Vice Chairman and alternate Department of Transportation member of the Interagency Group on International Aviation (IGIA) pursuant to interagency agreement of December 9, 1960, and Executive Order 11382, and provide for the administrative operation of the IGIA Secretariat.

(m) Carry out the functions vested in the Secretary by sections 4(a) and 5(c) of Executive Order 12316 of August 14, 1981 (46 FR 42237, Aug. 20, 1981) (delegating sections 107(c)(1)(c) and 108(b), respectively, of the Comprehensive Environmental Response, Compensation,