

## SUBCHAPTER A—GENERAL

### PART 1201—FEDERAL ACQUISITION REGULATIONS SYSTEM

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AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418b; (FAR) 48 CFR 1.3.

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#### Subpart 1201.1—Purpose, Authority, Issuance

##### 1201.101 Purpose.

The Department of Transportation (DOT) Acquisition Regulation (TAR) establishes uniform acquisition policies and procedures, which implement and supplement the Federal Acquisition Regulation (FAR).

##### 1201.104 Applicability.

(a) Statute, the (FAR) Title 48, Code of Federal Regulations (CFR) chapter 1, and (TAR) 48 CFR chapter 12 apply to all acquisitions within the Department unless otherwise excluded by statute, the (FAR) 48 CFR chapter 1, or (TAR) 48 CFR chapter 12.

(b) The following order of precedence applies to resolve any question of applicability concerning an acquisition regulation or a procedure found within (TAR) 48 CFR chapter 12 or the Transportation Acquisition Manual (TAM):

- (1) Statute;
- (2) (FAR) 48 CFR chapter 1 or other applicable regulation;
- (3) (TAR) 48 CFR chapter 12;
- (4) DOT Orders; and
- (5) TAM.

(c) The Maritime Administration may depart from the requirements of the (FAR) 48 CFR chapter 1 and (TAR) 48 CFR chapter 12 as authorized by 40 U.S.C. 113(e)(15) but shall adhere to those regulations to the maximum extent practicable. Exceptions from the requirements of the (FAR) 48 CFR chapter 1 and/or (TAR) 48 CFR chapter 12 shall be documented according to Maritime Administration procedures or in each contract file, as appropriate.

(d) The (FAR) 48 CFR chapter 1, (TAR) 48 CFR chapter 12 and TAM do not apply to the Federal Aviation Administration as provided by the Department of Transportation and Related Agencies Appropriations Act, 1996, Public Law 104-50, unless otherwise directed by the Office of the Secretary of Transportation.

##### 1201.105 Issuance.

##### 1201.105-1 Publication and code arrangement.

(a) The (TAR) 48 CFR chapter 12 is published in:

- (1) The FEDERAL REGISTER; and
- (2) Cumulative form in the CFR.

(b) The TAR is issued as chapter 12 of Title 48 of the CFR.