

§ 501.6

the functions described in the officer's respective functional statements.

[53 FR 26258, July 12, 1988, as amended at 58 FR 12545, Mar. 5, 1993]

§ 501.6 Secretary's reservations of authority.

The authorities reserved to the Secretary of Transportation are set forth in subpart 1.44 of part 1 and in part 95 of the regulations of the Office of the Secretary of Transportation in subtitle A of this title (49 CFR parts 1 and 95).

§ 501.7 Administrator's reservations of authority.

The delegations of authority in this part do not extend to the following authority which is reserved to the Administrator and, in those instances when the office of the Administrator is vacant due to death or resignation, or when the Administrator is absent as provided by § 501.5(a), to the Deputy Administrator or Executive Director:

(a) The authority under chapter 301—Motor Vehicle Safety—of Title 49 of the United States Code to:

(1) Issue, amend, or revoke final federal motor vehicle safety standards and regulations;

(2) Make final decisions concerning alleged safety-related defects and non-compliances with Federal motor vehicle safety standards;

(3) Grant or renew temporary exemptions from federal motor vehicle safety standards; and

(4) Grant or deny appeals from determinations upon petitions for inconsequential defect or noncompliance.

(b) The authority under 23 U.S.C. chapter 4, as amended, to:

(1) Apportion authorization amounts and distribute obligation limitations for State and community highway safety programs under 23 U.S.C. 402;

(2) Approve the initial awarding of alcohol incentive grants to the States authorized under 23 U.S.C. 408, and drunk driving prevention grants to the States authorized under 23 U.S.C. 410;

(3) Issue, amend, or revoke uniform State and community highway safety guidelines, and, with the concurrence of the Federal Highway Administrator, designate priority highway safety programs, under 23 U.S.C. 402;

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(4) Fix the rate of compensation for non-government members of agency sponsored committees which are entitled to compensation.

(c) The authority under chapters 321, 323, 325, and 329 of Title 49 of the United States Code to:

(1) Issue, amend, or revoke final rules and regulations, except for final rules issued under section 32902(d); and

(2) Assess civil penalties and approve manufacturer fuel economy credit plans under chapter 329.

(d) The authority under sections 141, 153, 154 and 158 of Title 23 of the United States Code, with the concurrence of the Federal Highway Administrator, to disapprove any State certification or to impose any sanction or transfer on a State for violations of the National Maximum Speed Limit, Safety Belt and Motorcycle Helmet Use Requirements, or the National Minimum Drinking Age.

[60 FR 43030, Aug. 18, 1995]

§ 501.8 Delegations.

(a) *Deputy Administrator.* The Deputy Administrator is delegated authority to act for the Administrator, except where specifically limited by law, order, regulation, or instructions of the Administrator. The Deputy Administrator is delegated authority to provide executive direction to the Associate Administrator for State and Community Services and the Director of International Harmonization, and assist the Administrator in providing executive direction to all organizational elements of NHTSA.

(b) *Executive Director.* The Executive Director is delegated line authority for executive direction over the Associate Administrators, except for the Associate Administrator for State and Community Services.

(c) *Director, Office of Civil Rights.* The Director, Office of Civil Rights is delegated authority to:

(1) Act as the NHTSA Director of Equal Employment Opportunity.

(2) Act as NHTSA Contracts Compliance Officer.

(3) Act as NHTSA coordinator for matters under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Executive Order 12250 (3 CFR,

1980 Comp., p. 298), and regulations of the Department of Justice.

(d) *Chief Counsel*. The Chief Counsel is delegated authority to:

(1) Exercise the powers and perform the duties of the Administrator with respect to setting of odometer regulations authorized under 49 U.S.C. chapter 327, and with respect to providing technical assistance and granting extensions of time to the states under 49 U.S.C. 32705.

(2) Establish the legal sufficiency of all investigations conducted under the authority of the following chapters of Title 49 of the United States Code: chapter 301; chapter 323; chapter 325; chapter 327; chapter 329; and chapter 331, and to compromise any civil penalty or monetary settlement in an amount of \$25,000 or less resulting from a violation of any of these chapters.

(3) Exercise the powers of the Administrator under 49 U.S.C. 30166 (c), (g), (h), (i), and (k).

(4) Issue subpoenas, after notice to the Administrator, for the attendance of witnesses and production of documents pursuant to chapters 301, 323, 325, 327, 329, and 331 of Title 49 of the United States Code.

(5) Issue authoritative interpretations of the statutes administered by NHTSA and the regulations issued by the agency.

(e) *Associate Administrator for Plans and Policy*. The Associate Administrator for Plans and Policy is delegated authority to direct the NHTSA planning and evaluation system in conjunction with Departmental requirement and planning goals; to coordinate the development of the Administrator's plans, policies, budget, and programs, and analyses of their expected impact, and their evaluation in terms of the degree of goal achievement; and to perform independent analyses of proposed Administration regulatory, grant, legislative, and program activities.

(f) *Associate Administrator for Safety Performance Standards*. Except for authority reserved to the Administrator or delegated to the Associate Administrator for Safety Assurance, the Associate Administrator for Safety Performance Standards is delegated authority to exercise the powers and perform the duties of the Administrator

with respect to the setting of motor vehicle safety and theft prevention standards, average fuel economy standards, procedural regulations, and the development of consumer information and regulations authorized under 49 U.S.C. chapter 301 (except for sections 30141 through 30147), and authorized under 49 U.S.C. chapters 323, 325, 329, and 331. The Associate Administrator for Safety Performance Standards is also delegated authority to:

(1) Respond to a manufacturer's petition for exemption from 49 U.S.C. chapter 301's notification and remedy requirements in connection with a defect or noncompliance concerning labelling errors;

(2) Extend comment periods (both self-initiated and in response to a petition for extension of time) for non-controversial rulemakings;

(3) Make technical amendments or corrections to a final rule; and

(4) Extend the effective date of a non-controversial final rule.

(g) *Associate Administrator for Safety Assurance*. Except for those portions that have been reserved to the Administrator or delegated to the Chief Counsel, the Associate Administrator for Safety Assurance is delegated authority to exercise the powers and perform the duties of the Administrator with respect to:

(1) Administering the NHTSA enforcement program for all laws, standards, and regulations pertinent to vehicle safety, fuel economy, theft prevention, damageability, consumer information and odometer fraud, authorized under 49 U.S.C. chapters 301, 323, 325, 327, 329, and 331.

(2) Issuing regulations relating to the importation of motor vehicles under 49 U.S.C. 30141 through 30147.

(3) Granting and denying petitions for import eligibility determinations submitted to NHTSA by motor vehicle manufacturers and registered importers under 49 U.S.C. 30141.

(h) *Associate Administrator for Traffic Safety Programs*. Except for those portions that have been reserved to the Administrator or delegated to the Associate Administrator for State and

Community Services, the Associate Administrator for Traffic Safety Programs is delegated authority to exercise the powers and perform the duties of the Administrator with respect to: 23 U.S.C. chapter 4, as amended; the authority vested by section 210(2) of the Clean Air Act, as amended (42 U.S.C. 7544(2)); the authority vested by 49 U.S.C. 20134(a), with respect to the laws administered by the Administrator pertaining to highway, traffic, and motor vehicle safety; the Act of July 14, 1960, as amended (23 U.S.C. 313 note) and 49 U.S.C. chapter 303; the authority vested by section 141, as it relates to certification of the enforcement of speed limits, and sections 153, 154(a), (b), (d), and (e) and 158 of Title 23 of the United States Code, with the concurrence of the Federal Highway Administrator; and section 209 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 401 note) as delegated by the Secretary in §501.2(i).

(i) *Associate Administrator for State and Community Services.* The Associate Administrator for State and Community Services is delegated authority to exercise the powers and perform the duties of the Administrator with respect to State and community highway safety programs under 23 U.S.C. 402, including approval and disapproval of State highway safety plans and final vouchers, in accordance with the procedural requirements of the Administration; to approve the awarding of alcohol incentive grants to the States under 23 U.S.C. 408 and drunk driving prevention grants under 23 U.S.C. 410, for years subsequent to the initial awarding of such grants by the Administrator; as appropriate for activities benefiting states and communities, to implement 23 U.S.C. 403; and to implement the requirements of 23 U.S.C. 153, jointly with the delegate of the Federal Highway Administrator.

(j) *Associate Administrator for Research and Development.* The Associate Administrator for Research and Development is delegated authority to: develop and conduct research and development programs and projects necessary to support the purposes of chapters 301, 323, 325, 327, 329, and 331 of Title 49 U.S.C., and Title 23 U.S.C. chapter 4, as amended, in coordination with the appro-

priate Associate Administrators, and the Chief Counsel.

(k) *Associate Administrator for Administration.* The Associate Administrator for Administration is delegated authority to:

- (1) Exercise procurement authority with respect to NHTSA requirements;
- (2) Administer and conduct NHTSA's personnel management activities;
- (3) Administer NHTSA financial management programs, including systems of funds control and accounts of all financial transactions; and
- (4) Conduct administrative management services in support of NHTSA missions and programs.

(1) *Director, Office of Vehicle Safety Compliance, Enforcement.* The Director, Office of Vehicle Safety Compliance, Enforcement, is delegated authority to exercise the powers and perform the duties of the Administrator with respect to granting and denying petitions for import eligibility decisions submitted to NHTSA by motor vehicle manufacturers and registered importers under 49 U.S.C. 30141(a)(1).

[60 FR 43030, Aug. 18, 1995, as amended at 61 FR 26469, May 28, 1996]

PART 509—OMB CONTROL NUMBERS FOR INFORMATION COLLECTION REQUIREMENTS

Sec.

509.1 Purpose.

509.2 Display.

AUTHORITY: 44 U.S.C. 3507.

§509.1 Purpose.

This part collects and displays the control numbers assigned to information collection requirements of NHTSA by the Office of Management and Budget (OMB). NHTSA intends that this part comply with the requirements of 44 U.S.C. 3507(f), which mandates that agencies display a current control number assigned by the Director of the OMB for each agency information collection requirement.

[48 FR 51310, Nov. 8, 1983]