

118TH CONGRESS
2D SESSION

S. 3924

To establish limitations on advanced payments for bus rolling stock, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Ms. SMITH (for herself, Mr. CRAMER, Mr. FETTERMAN, and Mrs. BRITT) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To establish limitations on advanced payments for bus rolling
stock, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bus Rolling Stock
5 Modernization Act of 2024”.

6 **SEC. 2. LIMITATIONS ON ADVANCED PAYMENTS FOR BUS**
7 **ROLLING STOCK.**

8 Section 5323 of title 49, United States Code, is
9 amended by adding at the end the following:

1 “(w) LIMITATIONS ON ADVANCED PAYMENTS FOR
2 BUS ROLLING STOCK.—

3 “(1) IN GENERAL.—Notwithstanding any provi-
4 sion of this chapter or part 200 of title 2, Code of
5 Federal Regulations, or any successor regulation, a
6 recipient may use assistance made available under
7 this chapter to make an advance payment on a bus
8 rolling stock vehicle without the recipient obtaining
9 pre-approval or requiring a performance bond or
10 other form of security from the transit vehicle manu-
11 facturer.

12 “(2) LIMITATIONS.— A recipient making an ad-
13 vance payment under paragraph (1)—

14 “(A) shall have—

15 “(i) a signed purchase order and exe-
16 cuted contract with a transit vehicle manu-
17 facturer that includes advance payment
18 provisions;

19 “(ii) preaward authority; and

20 “(iii) met the requirements under sub-
21 section (m) and section 5318(e) of this
22 title; and

1 “(B) shall not provide an advanced pay-
2 ment that is more than 20 percent of the total
3 purchase order value.”.

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