



**U.S. Department
of Transportation**

1200 New Jersey Ave., S.E.
Washington, DC 20590

Office of the Secretary
of Transportation

SUBJECT: Class Deviation No. 2026-12 from the Federal Acquisition Regulation for FAR Part 47 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

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TO: Department of Transportation Chiefs of the Contracting Offices

- I. Purpose:** This class deviation (CD) is issued under Federal Acquisition Regulation (FAR) part 1 and Transportation Acquisition Regulation (TAR) part 1201 and authorizes a class deviation to FAR part 47 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR part 47.
- II. Effective Date:** Immediately.
- III. Background:** On April 15, 2025, [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) was signed. Section 2 of the E.O. establishes the policy that the FAR "should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed."

The FAR is being updated to:

- Remove language that is not required by statute
- Remove duplicative or outdated language
- Clarify or provide more plain language
- Revise language for the new FAR framework
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

FAR part 47, Transportation, addresses the transportation policies and procedures applicable to the procurement of supplies. This part addresses the policies applied to transportation, including terms of art that when applied to a contract directly impact the roles and responsibilities of the contract.

The part has been comprehensively revised to improve clarity, consolidate policies, and eliminate outdated requirements. These changes, including the removal of 33 clauses, will streamline the procurement process.

Commercial transportation remains the preferred shipping method.

Statutory requirements retained in the RFO FAR part 47 model deviation include, but may not be limited to, the following:

- 10 U.S.C. § 2631, Preference for United States Vessels in Transporting Supplies by Sea
- 22 U.S.C. § 2353, Shipping on United States Vessels
- 46 U.S.C. § 55305, Cargoes Procured, Furnished, or Financed by the United States Government
- 49 U.S.C. § 10721 and § 13712, Interstate Commerce Act
- 49 U.S.C. § 40118, Government-Financed Air Transportation

The following table is not an exhaustive list but includes notable updates to FAR part 47.

Change	Description
Retained	• All subparts are retained, reorganized, and streamlined to improve flow and remove procedural guidance. ○ Subpart 47.1 - General ○ Subpart 47.2 - Contracts for Transportation or for Transportation-Related Services ○ Subpart 47.3 - Transportation in Supply Contracts ○ Subpart 47.4 - Air Transportation by U.S.-Flag Carriers ○ Subpart 47.5 - Ocean Transportation by U.S.-Flag Vessels • Information that guides the part such as the “Scope of Part”, “Definitions”, “Applicability”, and “Policies” are retained and streamlined (see 47.000 through 47.101). • Section 47.104, “Government Rate Tenders Under Sections 10721 and 13712 of the Interstate Commerce Act (49 U.S.C. 10721 and 13712)”, and its subsections, are retained with plain language edits, as they provide guidance on how to implement the statute. • The following provisions and clauses are retained (or remain reserved) with no changes to text: ○ 52.247-1 Commercial Bill of Lading Notations ○ 52.247-2 Permits, Authorities, or Franchises ○ 52.247-5 Familiarization With Conditions ○ 52.247-8 Estimated Weights or Quantities Not Guaranteed ○ 52.247-10 Net Weight—General Freight ○ 52.247-11 Net Weight—Household Goods or Office Furniture ○ 52.247-13 Accessorial Services—Moving Contracts ○ 52.247-15 Contractor Responsibility for Loading and Unloading ○ 52.247-17 Charges

	○ 52.247-18 Multiple Shipments ○ 52.247-19 Stopping in Transit for Partial Unloading ○ 52.247-21 Contractor Liability for Personal Injury and/or Property Damage ○ 52.247-22 Contractor Liability for Loss of and/or Damage to Freight Other Than Household Goods ○ 52.247-23 Contractor Liability for Loss of and/or Damage to Household Goods ○ 52.247-29 F.o.b. Origin ○ 52.247-30 F.o.b. Origin, Contractor's Facility ○ 52.247-31 F.o.b. Origin, Freight Allowed ○ 52.247-32 F.o.b. Origin, Freight Prepaid ○ 52.247-33 F.o.b. Origin, With Differentials ○ 52.247-34 F.o.b. Destination ○ 52.247-35 F.o.b. Destination, Within Consignee's Premises ○ 52.247-36 F.a.s. Vessel, Port of Shipment ○ 52.247-37 F.o.b. Vessel, Port of Shipment ○ 52.247-38 F.o.b. Inland Carrier, Point of Exportation ○ 52.247-39 F.o.b. Inland Point, Country of Importation ○ 52.247-48 F.o.b. Destination—Evidence of Shipment ○ 52.247-53 Freight Classification Description ○ 52.247-54 remains reserved ○ 52.247-56 Transit Arrangements ○ 52.247-58 Loading, Blocking, and Bracing of Freight Car Shipments ○ 52.247-63 Preference for U.S.-Flag Air Carriers ○ 52.247-67 Submission of Transportation Documents for Audit ○ 52.247-68 Report of Shipment (REPSHIP) ○ 52.247-69 Reporting Requirement for U.S.-Flag Air Carriers Regarding Training to Prevent Human Trafficking
Moved / Updated	● Section 47.102, “Transportation Insurance”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion. ● Section 47.103-1, addressing “Transportation Payment and Audit Regulation”, is updated from five paragraphs that detailed where and how to send paid freight bills to the General Services Administration (GSA) for audit, to a single sentence that states the statutory requirement for a prepayment audit program and directs users to 41 CFR part 102-118 for details. ● Section 47.105, “Transportation Assistance”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion. ● 47.301-2, “Participation of Transportation Officers”, is deleted and marked reserved. Content is expected to be moved to the FAR Companion.

	• In subsections 47.303-1 through 47.303-11, paragraph (b) of each subsection, titled “Contractor Responsibilities”, is moved to the corresponding contract clause. • The following clauses are updated. Updates are primarily for clarity and cross-referencing corrections. ○ 52.247-52 Clearance and Documentation Requirements—Shipments to DOD Air or Water Terminal Transshipment Points ○ 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels
Removed	• The following sections were deleted because the content was duplicative of general service contracting principles already established in other parts of the FAR or other regulations: ○ 47.202, “Presolicitation Planning” ○ 47.205, “Availability of Term Contracts and Basic Ordering Agreements for Transportation or for Transportation-related Services” ○ 47.206, “Preparation of Solicitations and Contracts” ○ 47.207-2, “Duration of Contract and Time of Performance” ○ 47.207-10, “Discrepancies Incident to Shipments” • Subsections 47.303-12 through 47.303-17 are deleted as they are unnecessary. The subsections defined the following terms: ○ Ex dock, pier, or warehouse, port of importation ○ C.& f. destination ○ C.i.f. destination ○ F.o.b. designated air carrier's terminal, point of exportation ○ F.o.b. designated air carrier's terminal, point of importation ○ Contractor-prepaid commercial bills of lading, small package shipments • The following provisions and clauses are removed as they are not required by statute or essential to sound procurement: ○ 52.247-3 Capability To Perform a Contract for the Relocation of a Federal Office ○ 52.247-4 Inspection of Shipping and Receiving Facilities ○ 52.247-6 Financial Statement ○ 52.247-7 Freight Excluded ○ 52.247-9 Agreed Weight—General Freight ○ 52.247-12 Supervision, Labor, or Materials ○ 52.247-14 Contractor Responsibility for Receipt of Shipment ○ 52.247-16 Contractor Responsibility for Returning Undelivered Freight ○ 52.247-20 Estimated Quantities or Weights for Evaluation of Offers ○ 52.247-24 Advance Notification by the Government ○ 52.247-25 Government-Furnished Equipment With or Without Operators ○ 52.247-26 Government Direction and Marking ○ 52.247-27 Contract Not Affected by Oral Agreement ○ 52.247-28 Contractor's Invoices ○ 52.247-40 Ex Dock, Pier, or Warehouse, Port of Importation ○ 52.247-41 C.& f. Destination ○ 52.247-42 C.i.f. Destination

	○ 52.247-43 F.o.b. Designated Air Carrier's Terminal, Point of Exportation ○ 52.247-44 F.o.b. Designated Air Carrier's Terminal, Point of Importation ○ 52.247-45 F.o.b. Origin and/or F.o.b. Destination Evaluation ○ 52.247-46 Shipping Point(s) Used in Evaluation of F.o.b. Origin Offers ○ 52.247-47 Evaluation—F.o.b. Origin ○ 52.247-49 Destination Unknown ○ 52.247-50 No Evaluation of Transportation Costs ○ 52.247-51 Evaluation of Export Offers ○ 52.247-55 F.o.b. Point for Delivery of Government-Furnished Property ○ 52.247-57 Transportation Transit Privilege Credits ○ 52.247-59 F.o.b. Origin—Carload and Truckload Shipments ○ 52.247-60 Guaranteed Shipping Characteristics ○ 52.247-61 F.o.b. Origin—Minimum Size of Shipments ○ 52.247-62 Specific Quantities Unknown ○ 52.247-65 F.o.b. Origin, Prepaid Freight—Small Package Shipments ○ 52.247-66 Returnable Cylinders
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IV. Required Actions: All DOT Operating Administrations (OAs), the Office of the Secretary of Transportation (OST), and the Office of the Inspector General (OIG), excluding the Federal Aviation Administration (FAA) per RFO TAR 1201.104(d) shall follow the [RFO FAR part 47 model deviation text](#) instead of FAR part 47 as codified at 48 CFR chapter 1. The Council's RFO FAR part 47 model deviation text is available at [Acquisition.gov/far-overhaul](#) and is incorporated by reference into this CD. A line-out version of the changes may also be found [here](#) for reference.

Heads of the Contracting Activities (HCAs) must ensure this deviation is disseminated to the acquisition workforce and ensure compliance with the requirements in the revised FAR part 47 guidance.

For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at [RFO FAR part 52](#).

For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. Note that without some of the removed provisions or clauses, the contracting officer may be required to separately address certain aspects in the contract.

Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

Acquisition teams should review the FAR Companion for a number of best practices and guidance specific to this part.

- V. **Applicability:** This CD applies to all DOT OAs, OST, and OIG, excluding the FAA in accordance with TAR 1201.104(d).
- VI. **Expiration Date:** This CD will remain in effect until it is incorporated into the FAR or is otherwise rescinded, whichever occurs first.
- VII. **Point of Contact:** Questions or comments regarding this deviation may be directed to DOTAcquisitionPolicy@dot.gov.