



# Importing Motor Vehicles into the United States

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National Highway Traffic Safety  
Administration

**NHTSA**  
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION



# NHTSA

- A small agency in the U.S. Department of Transportation established in 1966
- Mission is to improve safety on nation's highways and reduce fatalities and injuries associated with vehicle crashes
- Issues the Federal motor vehicle safety standards (FMVSS)
- Prescribe minimum safety performance requirements for motor vehicles and for certain items of motor vehicle equipment
- Currently there are 64 FMVSS; 49 are vehicle standards; 15 apply to motor vehicle equipment



## Statutory Prohibition

- 49 U.S.C. 30112(a) provides that no person shall manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States any motor vehicle or motor vehicle equipment manufactured on or after the date an applicable FMVSS takes effect unless the vehicle or equipment complies with the standard and is so certified by its manufacturer



## Vehicle Importation; Declaration

- HS-7 Declaration form must be filed with U.S. Customs and Border Protection (Customs) for motor vehicles and motor vehicle equipment items imported into the United States that are subject to the Federal motor vehicle safety, bumper, and theft prevention standards.
- Form has 14 boxes, one of which must be checked to identify a lawful means for importing the vehicle or equipment item



U.S. Department of Transportation  
National Highway Traffic Safety Administration

## DECLARATION

### Importation of Motor Vehicles and Motor Vehicle Equipment Subject to Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards

OMB No. 2127-0002  
Public Law 100-562,  
49 USC Chap. 301

PORT OF ENTRY	CUSTOMS PORT CODE	CUSTOMS ENTRY NO.	ENTRY DATE
MAKE OF VEHICLE	MODEL	YEAR	VEHICLE IDENTIFICATION NUMBER (VIN)
REGISTERED IMPORTER NAME AND NHTSA REGISTRATION NUMBER (Required when Box 3 is checked)			VEHICLE ELIGIBILITY NO. (Box 3)
DESCRIPTION OF MERCHANDISE IF MOTOR VEHICLE EQUIPMENT			

1. The vehicle is 25 or more years old or the equipment item was manufactured on a date when no applicable Federal Motor Vehicle Safety Standard or Theft Prevention Standard was in effect.
- Date of manufacture: \_\_\_\_\_ [591.50(c)]
- 2A. The vehicle or equipment item conforms to all applicable Federal Motor Vehicle Safety Standards (or the vehicle does not conform to safety standards readily ascertainable equipment items that will be attached to it before it is offered for sale to the first purchaser for purposes other than resale are not attached), and Bumper and Theft Prevention Standards, and bears a certification label or tag to that effect permanently affixed by the original manufacturer to the vehicle or affixed by the manufacturer to the equipment item or to its delivery container in accordance with applicable National Highway Traffic Safety Administration (NHTSA) regulations [591.50(c)].
- 2B. The vehicle was certified by its original manufacturer as conforming to all applicable Canadian motor vehicle safety standards and its original manufacturer confirms that the vehicle conforms to all applicable U.S. Federal Motor Vehicle Safety, Bumper, and Theft Prevention Standards (or that it conforms to all such standards except for the labeling requirements of Standards No. 101 and 110 or 120, and/or the specifications of Standard No. 105 relating to daytime running lamps), and the vehicle is not a salvage motor vehicle, a repaired salvage motor vehicle, or a reconstructed motor vehicle, and I am importing it for personal use. [591.50(c)]
- Attachment: Copy of manufacturer's confirmation letter.
3. The vehicle does not conform to all applicable Federal Motor Vehicle Safety and Bumper Standards, but does conform to applicable Federal Theft Prevention Standards, but I am eligible to import it because NHTSA has determined that the model and model year of the vehicle to be imported is eligible for importation into the United States, and the vehicle is not a salvage motor vehicle or a reconstructed motor vehicle, and I have furnished a bond, which is attached to this declaration, in an amount equal to 150 percent of the entered value of the vehicle as determined by the Secretary of the Treasury. If the Administrator of NHTSA determines that the vehicle has not been brought into conformity with all such standards within 120 days after importation, then I state that I will deliver such vehicle to the Secretary of Homeland Security for export, or abandon it to the United States [591.5], and that
- a. I have registered with NHTSA pursuant to 49 CFR Part 592 and such registration is not suspended and has not been revoked; or
- b. I have executed a contract or other agreement, which is attached to this declaration, with an importer who has registered with NHTSA and whose registration is not suspended and has not been revoked. [591.50(f)]
- Attachments: Copy of DOT Bond, and  
Copy of Contract with a Registered Importer, if applicable.
4. The vehicle or equipment does not conform to all applicable Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards, but is intended solely for export and is labeled for export on the vehicle or equipment item, and the outside of any container of the vehicle or equipment item bears a label or tag to that effect. [591.50(c)]
5. The vehicle or equipment does not conform to all applicable Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards, but I am eligible to import it because all of the following conditions exist:
- a. I am a nonresident of the United States and the vehicle is registered in a country other than the United States;
- b. I am temporarily importing the vehicle for personal use for a period not to exceed 1 year, and will not sell it during that time; and
- c. I will export it not later than the end of 1 year after entry, and the declaration contains my passport number and country of issue. [591.50(f)]
- d. Passport No. \_\_\_\_\_ Country of issue \_\_\_\_\_
6. The vehicle does not conform to all applicable Federal Motor Vehicle Safety, Bumper, and Theft Prevention Standards, but I am eligible to import it because all of the following conditions exist:
- a. I am a member of a foreign government on assignment in the United States, or a member of the Secretariat of a public institution designated under the International Organized Crime Treaties, Immunities Act, and within the class of persons for whom free entry of motor vehicles has been authorized by the Department of State;
- b. I am importing the vehicle on a temporary basis for my personal use, and will register it through the Office of Foreign Assets Control of the Department of State;
- c. I will not sell the vehicle to any person in the United States, other than a person eligible to import a vehicle under this paragraph;
- d. I will obtain from the Office of Foreign Missions of the State Department, before departing the United States at the conclusion of a tour of duty, an ownership title to the vehicle good for export only; and
- e. I have attached a copy of my official orders. [591.50(h)]
- Name of Embassy: \_\_\_\_\_
- Attachment: Copy of Official Orders.
7. The vehicle or equipment does not conform to all applicable Federal Motor Vehicle Safety and Bumper Standards, but is being imported solely for the purpose of research, investigations, development, testing, or competitive testing, and I state that I will comply with all applicable restrictions on importers of such merchandise as specified in 49 CFR 591.7 and I will provide the Administrator with documentary proof of export or destruction not later than 30 days following the end of the period for which the vehicle has been admitted into the United States. [591.50(j)]
- Attachment: Copy of NHTSA permission letter if the importer is not an original manufacturer of motor vehicles (or a wholly owned subsidiary thereof) that are certified to conform to all applicable Federal Motor Vehicle Safety Standards (FMVSS). Use of the public roads must be authorized specifically.
- a. NHTSA ( ) or ( )
- b. Importer's statement describing the use to be made of the vehicle or equipment item if the importer is an original manufacturer of motor vehicles (or a wholly owned subsidiary thereof) that are certified to conform to all applicable FMVSS. If use of the public roads is an integral part of the purpose for which the vehicle or equipment item is imported, the statement shall describe the purpose that makes such use necessary, state the estimated period of time during the use of the vehicle or equipment item on the public roads is necessary, and state the intended means of final disposition (and disposition date) of the vehicle or equipment item after completion of the purpose for which it is imported. [591.50(j)(3)]
8. The vehicle was not manufactured primarily for use on the public roads and thus is not a motor vehicle subject to the Federal Motor Vehicle Safety, Bumper, and Theft Prevention Standards or the equipment item is not a system, part, or component of a motor vehicle and thus is not an item of motor vehicle equipment subject to the Federal Motor Vehicle Safety Standards. [591.50(k)]
- Attachment: Importer's statement substantiating that the vehicle was not manufactured for use on the public roads, or that the equipment item was not manufactured for use on a motor vehicle or is not an item of motor vehicle equipment. [591.50(k)]
9. The vehicle or equipment item requires further manufacturing operations to perform its intended function, other than the addition of readily attachable equipment items such as mirrors, wipers, or the end of its assemblies, or motor finishing operations such as painting, and any part of such vehicle that is required to be marked by the Theft Prevention Standard is marked in accordance with that standard. [591.50(l)]
- Attachment: For a vehicle, a copy of the Incomplete Vehicle Document, issued by the incomplete vehicle manufacturer, providing guidance on completing the vehicle so that it conforms to all applicable Federal Motor Vehicle Safety (FMVSS) or an equipment item, a statement issued by the item's manufacturer identifying the applicable FMVSS to which the item does not conform and describing the further manufacturing required for the item to perform its intended function. [591.50(l)(2)]
10. The vehicle does not conform to all applicable Federal Motor Vehicle Safety and Bumper Standards but is being imported solely for the purpose of show and display, and I state that I will comply with all applicable restrictions on importers of such vehicles as specified in 49 CFR 591.7. [591.50(l)]
- Attachment: Copy of NHTSA Permission Letter.
11. The equipment item is subject to the Theft Prevention Standard and is marked in accordance with the requirements of 49 CFR Part 541. [591.50(l)]
12. The vehicle does not conform to all applicable Federal Motor Vehicle Safety, Bumper, and Theft Prevention Standards, but I am eligible to import it because all of the following conditions exist:
- a. I am a member of the armed forces of a foreign country on assignment in the United States;
- b. I am importing the vehicle on a temporary basis, and for my personal use;
- c. I will not sell the vehicle to any person in the United States, other than a person eligible to import a vehicle under this paragraph;
- d. I will export the vehicle upon departing the United States at the conclusion of my tour of duty; and
- e. I have attached a copy of my official orders. [591.50(l)(2)]
- Attachment: Copy of Official Orders.
13. The vehicle does not conform to all applicable Federal Motor Vehicle Safety and Bumper Standards, but does conform to applicable Federal Theft Prevention Standards, and I am eligible to import it because all of the following conditions exist:
- a. I am a member of the armed forces of a foreign country on assignment in the United States, and I have imported the vehicle on a temporary basis, and for my personal use;
- b. I am importing the vehicle on a temporary basis for my personal use, and will register it through the Office of Foreign Assets Control of the Department of State;
- c. I will not sell the vehicle to any person in the United States, other than a person eligible to import a vehicle under this paragraph;
- d. I will obtain from the Office of Foreign Missions of the State Department, before departing the United States at the conclusion of a tour of duty, an ownership title to the vehicle good for export only; and
- e. I have attached a copy of my official orders. [591.50(l)(2)]
- Attachment: Copy of NHTSA permission letter.

NAME OF IMPORTER (Please type)	IMPORTER'S ADDRESS (Street, City, State, Zip Code)
NAME OF DECLARANT (Please type)	DECLARANT'S ADDRESS
DECLARANT'S CAPACITY	DECLARANT'S SIGNATURE
	DATE SIGNED

EPA Requirements: Importers of motor vehicles/engines and nonroad vehicles/engines/equipment must also submit EPA form 3520-1 or 3520-21 to U.S. Customs and Border Protection to identify the basis for importation into the United States and U.S. territories under the laws administered by the United States Environmental Protection Agency. For more information, please see [www.epa.gov/taq/imports/index.htm](http://www.epa.gov/taq/imports/index.htm).

## Conforming Vehicles (Box 2A)

- Vehicles that are originally manufactured to conform to all applicable Federal motor vehicle safety, bumper, and theft prevention standards, and bear a label to that effect, permanently affixed by the original manufacturer, can be imported without restriction



## Certification

- Performed by the manufacturer and not NHTSA (no type approval)
- Manifested by a label permanently affixed to the vehicle in a prescribed location
- Identifies the manufacturer, the date of manufacture, the vehicle type
- States that the vehicle complies with all applicable FMVSS in effect on the date of manufacture shown above



## Location of Label

- For passenger cars, MPVs, trucks and buses, the label must be in the area of the driver's door
- For motorcycles, the label must be affixed to a permanent member of the vehicle, as close as possible to intersection of the steering post and the handlebar so it can be easily read
- For trailers, the label must be affixed to forward half of the vehicle, on the left side
- For equipment, certification is generally manifested by the letters "DOT" inscribed on the item in a prescribed location





# Sample Manufacturer Certification Label

MANUFACTURED BY:  
USA TRAILER MANUFACTURERS, INC.

September 1997

GVWR	8,164 KG (18,000 LB)
GAWR FRONT	4,354 KG (9,600 LB)
TIRES	11R17.5HC(H)
RIMS	17.5X8.25HC
COLD TIRE INFL	827 kPa (120 PSI) SINGLE
GAWR REAR	4,354 KG (9,600 LB)
TIRES	11R17.5HC(H)
RIMS	17.5X8.25HC
COLD TIRE INFL	827 kPa (120 PSI) SINGLE

THIS VEHICLE CONFORMS TO ALL  
APPLICABLE US FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE  
DATE OF MANUFACTURE SHOWN ABOVE.

VIN WMIXXXXXXXXXXXXXXX

TYPE: TRAILER



## Procedural Requirements

Before exporting its products to the United States, the manufacturer of a conforming vehicle must:

- Identify itself and its products to NHTSA pursuant to 49 CFR Part 566
- Submit VIN deciphering information to NHTSA pursuant to 49 CFR Part 565
- Designate a U.S. resident as its agent for service of process pursuant to 49 CFR Part 551, Subpart D
- Consult NHTSA's website at <https://vpic.nhtsa.dot.gov/> to learn whether these requirements have been met.



## Personal Imports of Canadian-certified vehicles (Box 2B)

- Vehicle must be imported by an individual for personal use, and not for resale;
- Vehicle must bear a label certifying its compliance with all applicable CMVSS;
- Importer must furnish a letter from the vehicle's original manufacturer stating that the vehicle complies with all applicable safety, bumper, and theft prevention standards, with the possible exception of the labeling requirements of Standards 101 *Controls and Displays*, and 110 or 120 *Tires and Rims*, or the daytime running lamp requirements of Standard 108 *Lamps, Reflective Devices, and Associated Equipment*;



## **Personal Imports of Canadian-certified vehicles (Box 2B), cont'd**

- If the manufacturer's letter states that vehicle does not meet the parts marking requirements of the Theft Prevention Standard at 49 CFR Part 541, or is not equipped with an FMVSS No. 138-compliant Tire Pressure Monitoring System (TPMS), the importer must produce an invoice showing that the required parts have been marked or that an original vehicle manufacturer's or OEM TPMS (and not an aftermarket off-the-shelf system) has been installed;
- Vehicle must not be salvage, repaired salvage, or reconstructed.



## Nonconforming Vehicle Imports (Box 3)

Vehicles under 25 years old that are not originally manufactured to conform to all applicable FMVSS can only be lawfully imported into the United States if:

- 1) They are determined eligible for importation by NHTSA, based on their capability of being modified to conform to all applicable FMVSS; and
- 2) They are imported by a registered importer (RI), or by a person who has a contract with an RI to bring the vehicle into compliance with all applicable FMVSS.



## Import Eligibility Decisions

- NHTSA makes import eligibility decisions on its own initiative, or on the basis of a petition submitted by a registered importer.
- List of vehicles determined eligible can be found in 49 CFR Part 593 Appendix A or at [www.nhtsa.gov/cars/rules/import](http://www.nhtsa.gov/cars/rules/import)
- For other than Canadian-certified vehicles, decisions are made on a make, model and model year basis.
- Owing to the similarity of the FMVSS and CMVSS, NHTSA makes blanket eligibility decisions for Canadian-certified vehicles.



## Import Eligibility Decisions

- Because there are some dissimilarities between the Canadian and U.S. standards, to be eligible for importation under one of the blanket decisions covering Canadian-certified vehicles, a Canadian-certified vehicle must be originally manufactured to meet the U.S. version of any standard for which there is a dissimilar Canadian counterpart. For example, a passenger car manufactured on or after September 1, 2011 must be originally manufactured to meet FMVSS Nos. 138 (TPMS), 201 (Interior Impact), 206 (Door Locks), 208 (Occupant Crash Protection), 213 (Child Restraints), 214 (Side Impact), and 225 (Child Restraint Anchorages) because each of those standards differ in some respect from the Canadian version.



## Import Eligibility Decisions

- To be determined eligible, the vehicle must either be:
- Substantially similar to a vehicle of the same make, model, and model year that was certified by its original manufacturer for sale in the United States, or



## Import Eligibility Decisions

- If there is no substantially similar U.S.-certified vehicle, the vehicle for which import eligibility is sought must have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test information or such other evidence that NHTSA decides is adequate



## Nonconforming Vehicle Imports

- If determined eligible for importation, the vehicle may only be imported by a registered importer (RI) or by a person who has a contract with an RI to conform the vehicle
- The vehicle must be imported under bond to ensure that it is brought into conformity within 120 days of entry or is exported from or abandoned to the United States
- The vehicle must not be salvage or reconstructed



## Registered Importers

- 80 currently registered with the agency.
- All RIs in active status are listed on the agency's website at [www.nhtsa.gov/cars/rules/import](http://www.nhtsa.gov/cars/rules/import).
- 64 principally handle the importation of Canadian-certified vehicles, which are almost fully compliant with the FMVSS
- Around 16 handle the importation of vehicles manufactured for other markets (referred to as “gray market vehicles”), which require more significant modifications to meet the FMVSS



## Registered Importers

- Must modify nonconforming vehicles so that they conform to all applicable standards within 120 days of entry
- Must ensure that the vehicles are originally manufactured with FMVSS-compliant Tire Pressure Monitoring Systems
- Must ensure that all outstanding recalls have been performed on the vehicles they import
- Must assume the manufacturer's responsibility to provide owners with notification and remedy in the event that a safety-related defect or noncompliance is determined to exist in the vehicle



## Statement of Conformity

- After it completes all modifications needed to conform an imported nonconforming vehicle to all applicable FMVSS, the Registered Importer submits to NHTSA a Statement of Conformity, supported by documentary and photographic evidence of the modifications made to achieve conformity. NHTSA refers to this as a “conformity package”
- Under the DOT conformance bond, the conformity package must be submitted to NHTSA no later than 120 days from the vehicle’s date of entry.
- If it is satisfied from its review of the conformity package that the vehicle has been successfully modified to conform, NHTSA will issue the RI a letter releasing the DOT conformance bond, which entitles the RI to release custody of the vehicle so that it can be titled and registered for on road use.



# NHTSA Bond Release Letter



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Ave, SE  
Washington, DC 20590

JAN-28-2016

In Reply Refers To:  
1510-3972

BLUE WATER IMPORTERS, INC  
2441 E. BRISTOL ROAD  
BURTON, MI 48529

Dear Importer:

The National Highway Traffic Safety Administration (NHTSA) acknowledges receipt of a certificate of compliance and payment of the bond processing cost for the vehicle imported on the following Customs entry:

Customs Entry No. & Date: 18679851404 OCT-02-2015  
Port code: 3802  
Vehicle Make & Model: FORD EXPLORER  
Vehicle Identification No: 1FMEU23838UB37229

The bond issued pursuant to 49 CFR 591.6.(c) to ensure that the vehicle is brought into compliance with all applicable Federal motor vehicle safety standards may be released. This bond release does not constitute agreement by NHTSA that the vehicle, in fact, is in conformance with all applicable Federal motor vehicle safety standards since actual conformance with many requirements is determinable only by compliance testing. Please be advised that NHTSA reserves the right to make an actual compliance inspection of the vehicle at a future date to verify the accuracy of the Registered Importer's certificate.

Sincerely,

Coleman R. Sachs, Chief  
Import and Certification Division

G13758

CCK



**NHTSA**



## What if NHTSA does not issue a bond release letter?

- If NHTSA does not issue a bond release letter within 30 days from the date the Registered Importer submits the statement of conformity for an imported nonconforming vehicle, the RI is free to release custody of the vehicle so that it can be titled and registered for on-road use.
- **What does this mean for the DMV?** At the very least, if the registrant is unable to produce a NHTSA bond release letter, the DMV should not title or register the vehicle if it entered the United States less than 30 days prior to the date the vehicle is presented for titling and registration.



## Off-Road Vehicles (Box 8)

- NHTSA's jurisdiction is limited to “motor vehicles,” defined in 49 U.S.C. § 30102 as vehicles driven or drawn by mechanical power that are manufactured primarily for use on public streets, roads, and highways
- Vehicles that are not manufactured for on-road use (such as dirt bikes, race cars, or ATVs) are not motor vehicles subject to the Federal motor vehicle safety, bumper, or theft prevention standards, but may be subject to jurisdiction of the Consumer Products Safety Commission and the EPA





## Small Motor Scooters

- Small motor scooters (such as pocket bikes, mini-choppers, mini-ninjas) are regarded as “motor vehicles” that must comply with all applicable FMVSS if:
  - They are capable of a maximum speed of 20 miles per hour (32 km/hr) or greater, and
  - They are equipped with one or more of the following components needed for on-road use: turn signals, side marker lamps, stop lamps, mirrors.



## Mini-trucks

- Originally manufactured for on-road use in their home countries and would therefore be “motor vehicles” subject to the FMVSS.
- However, NHTSA has issued some past interpretations that newly manufactured mini-trucks that with maximum speed capabilities that do not exceed 25 mph may be imported as off-road vehicles under Box 8, for use on industrial sites, college campuses, and other closed compounds

## Mini-trucks (Continued)

- These interpretations have stated that the agency will re-examine the issue of whether mini-trucks can be imported as off-road vehicles if it receives information that these vehicles are being titled or registered for off-road use.
- 16 States are now permitting mini-trucks to be titled or registered for on-road use, prompting a re-examination of the issue by NHTSA.



## Exceptions

- A nonconforming vehicle can be imported:
- If it is at least 25 years old (Box 1)
  - If extensively rebuilt may not be eligible
- If it is imported for export only and is so labeled (Box 4)
- By a nonresident of the U.S., for personal use, for up to one year (Box 5)
- By foreign diplomatic or military personnel on assignment in the U.S. (Box 6 and 12)

# Vehicle Import Statistics

B O X	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15
2 A	1.3m	1.9 m	2.3 m	2.7 m	3.9m	4.4m	4m	3.7m	3.2m	4.6m	5.0m	5.6m	5.8m	6.5m	6.9m
3	200K	212 K	97K	43K	13 K	13K	8K	6 K	11K	18K	23K	30K	36K	74K	216 K
8	41K	55K	79K	95K	88K	105 K	122 K	175 K	99K	153K	192 K	326 K	207 K	335 K	421 K



## Internet Resources

- For information on NHTSA's importation program: [www.nhtsa.gov/cars/rules/import](http://www.nhtsa.gov/cars/rules/import). Information on that site includes a detailed list of answers to frequently asked questions.
- A handbook for new motor vehicle or equipment manufacturers can be downloaded at: [https://vpic.nhtsa.dot.gov/Manufacturer\\_Handbook\\_20161019.pdf](https://vpic.nhtsa.dot.gov/Manufacturer_Handbook_20161019.pdf)
- The database identifying all manufacturers who have registered with NHTSA and given us VIN-deciphering information is at: <https://vpic.nhtsa.dot.gov/mid/>

# Contacts

- **Import and Certification Division**

tel: (202) 366-5291

fax: (202) 493-0073

e-mail: [importertification@dot.gov](mailto:importertification@dot.gov)

- **Coleman Sachs (Division Chief)**

tel: (202) 366-3151

e-mail: [coleman.sachs@dot.gov](mailto:coleman.sachs@dot.gov)