

REGISTERED IMPORTER PROCEDURES AND REQUIREMENTS

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TABLE OF CONTENTS

1. BACKGROUND INFORMATION	1
2. IMPORT REGULATIONS	4
3. FMVSS AND REGULATIONS	8
4. RECALL INSURANCE POLICY	14
5. RI FEES	14
6. CREDIT CARD	15
7. DECLARATION FORM (HS-7)	16
8. CONFORMITY PACKAGE FOR CANADIAN VEHICLES	16
9. CONFORMITY PACKAGE FOR NON-CANADIAN VEHICLES	18
10. DOT BOND	19
11. RI CERTIFICATION LABEL	20
12. RECALL REPORTING REQUIREMENTS	21
13. YEARLY MAINTENANCE INFORMATION	23
14. ADDRESS CHANGE OR ADDITIONAL LOCATIONS	23

APPENDIX

FMVSS 208 and 214 CHART	A-1
PARTIAL FMVSS NO. 121 REQUIREMENTS	A-2
RI CREDIT CARD AUTHORIZATION FORM	A-3
CONFORMANCE PACKAGE FOR CANADIAN VEHICLES	A-6
CONFORMANCE PACKAGE FOR OTHER THAN CANADIAN VEHICLES	A-7
SAFETY RECALL COMPENDIUM	A-10
PART 573 QUARTERLY STATUS REPORT	A-64
FACILITY LOCATIONS AND CONTACTS	A-65
YEARLY MAINTENANCE INFORMATION LETTER	A-66
NEWSLETTERS	A-67

1. BACKGROUND INFORMATION

First I would like to welcome you as a Registered Importer (RI) operating under the guidelines of the Department of Transportation. As an RI you must adhere to certain obligations and responsibilities. The following guidelines will introduce you to your responsibilities found in the Code of Federal Regulations (CFR). Be sure to read the applicable sections of the CFR to ensure that you fully understand your responsibilities when importing and modifying a vehicle, and your responsibilities after importation. Before we begin there are some abbreviations and terms you should become familiar with.

Abbreviations commonly used:

CFR: Code of Federal Regulations

DOT: US Department of Transportation

FMVSS: Federal Motor Vehicle Safety Standards

FR: Federal Register

GVWR: Gross Vehicle Weight Rating

OEM: Original Equipment Manufacturer

OVSC: Office of Vehicle Safety Compliance

NHTSA: National Highway Traffic Safety Administration

RI: Registered Importer

USC: United States Code

USCS: United States Customs Service

VIN: Vehicle Identification Number

VSA, VSP, VCP: Vehicle Importation Eligibility Determination Codes (See Part 593.10)

Glossary of terms

Conformity Package: Documentation submitted by an RI to demonstrate to NHTSA that a vehicle has been brought into conformity with all applicable safety standards and regulations. The following documentation should be included in the conformity package for each vehicle imported:

- **Conformity Statement:** The statement that identifies the applicable standards that the vehicle originally conformed to and those which required modification to the vehicle to bring it into conformity. It also contains vehicle information, importation information and confirmation that there are no outstanding recalls on the vehicle.
- **DOT Bond (HS-474):** Bond to ensure that a nonconforming vehicle will be brought into conformance with the Federal motor vehicle safety and bumper standards within 120 days. The complete purpose of the bond is discussed in greater detail later in the package.

- **Hi-Theft Vehicle Lines:** Vehicle lines determined to exceed the median theft rate in relation to the national median theft rate. Vehicles on the high theft list, as stated in 49 CFR Part 541, must be marked or have the same anti-theft device as the U.S. certified vehicle prior to vehicle importation.
- **HS-7(Declaration form):** Form used to declare a vehicle being imported into the U.S. at the USCS. This form is submitted electronically by most custom house brokers to the USCS.
- **Photographs:** Pictures in a conformity package that show a vehicle imported by an RI and the modifications performed to bring it into conformity with all applicable FMVSS and regulations.
- **Power of Attorney and Owner's Contract:** Contract between an RI and the owner of a nonconforming vehicle. RI may be given authority to sign importation documents on behalf of the owner of the vehicle. A copy must be included in the conformity package.
- **Recall Campaign:** Notification to vehicle owners by an RI that a vehicle may contain a safety related defect or a noncompliance with a FMVSS. When necessary, provide remedy without charge for 8 years after importation of the vehicle. See *Safety Recall Compendium* in the appendix.
- **Warranty Insurance Policy:** A policy to ensure that a noncomplying vehicle conformed by an RI will have recalls performed free of cost to the owner for 8 years after its importation.

RI Duties

Initial RI planning:

1. Review RI newsletters.
2. Obtain a credit card application.
3. Obtain an E-Mail address.
4. Obtain a recall warranty insurance agreement.
5. Obtain agreement for USCS and DOT bonds.

Things to do prior to importation:

1. Determine if the vehicle has an eligibility number, if not, start petition process.
2. Determine if vehicle is on the hi-theft vehicle list, if yes, mark necessary parts.
3. Obtain a signed contract with the importer if the RI is not the importer of record.

What to do at time of importation:

1. Have DOT bonds ready for each vehicle imported.
2. Have the broker electronically file HS-7 form and other information to USCS.

After Importation:

1. Check for open recalls and complete any before submitting the conformity package.
2. Conform vehicle within 120 days of importation and affix RI certification label.
3. Submit the conformity package to OVSC with appropriate fees.
4. Hold the vehicle until OVSC issues a bond release or 30 days after submission of the conformity package.
5. Place Recall Insurance Policy and Bond Release Letter in vehicle's glove box before releasing the vehicle.

After Submission:

1. Obtain and record each new owner of the vehicle for purposes of recall.
2. Hold and update all import vehicle records in safe area for 8 years after vehicle entry.
3. Conduct recalls if notified by OVSC or you become aware of a safety-related defect or noncompliance on any vehicle that you have submitted a statement of conformity.

Renewal of Registration:

1. Submit information required by 49 CFR Part 592.5(e) in September but no later than October 31st of each year.
2. Submit a signed agreement with a warranty insurance company covering the next fiscal year.
3. Identify any changes in mailing address, e-mail address or telephone/fax number. Changes in facilities must be submitted and approved before they can be used
4. Authorize payment of fees by credit card or submit a check.

INFORMATION AVAILABLE ON THE INTERNET (see RI Newsletter No. 11):

- ▶ Newsletters:
www.nhtsa.dot.gov/cars/rules/import/newsletters/
- ▶ Legal Interpretations:
www.nhtsa.dot.gov/cars/rules/interps/

- ▶ Safety Standards:
www.nhtsa.dot.gov/cars/rules/standards/
- ▶ Recall Compendium
www.nhtsa.dot.gov/cars/rules/standards/recompendium.pdf
- ▶ RI List & Vehicle Eligibility List:
www.nhtsa.dot.gov/cars/rules/imports/
- ▶ Federal Register:
www.nhtsa.dot.gov/su_docs/aces/aces140.html
- ▶ 49CFR:
www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=49
- ▶ Chapter 301 of Title 49, U.S. Code:
www.nhtsa.dot.gov/cars/rules/standards/chap301.html

2. IMPORT REGULATIONS

Import Regulations: 49 U.S.C. 30141 authorized NHTSA to establish regulations governing the importation of motor vehicles and motor vehicle equipment. Four regulations were promulgated to implement 49 U.S.C. 30141 and are found at 49 CFR Parts 591-594.

49 CFR 591

Establishes procedures governing the importation of vehicles and equipment subject to Federal motor vehicle safety, bumper, and theft prevention standards.

49 CFR 592

Establishes requirements for persons wishing to be RIs of vehicles not originally manufactured to conform to the FMVSS.

49 CFR 593

Establishes procedures for making determinations that a vehicle not originally manufactured to conform to the FMVSS is eligible for importation.

49 CFR 594

Establishes fees, authorized by 49 U.S.C. 30141, associated with the importation program.

Violations: Chapter 301 of 49 U.S.C. currently provides that whoever violates the safety regulations will be subject to a civil penalty not to exceed \$1,100 for each violation, or \$925,000 for a related series of violations. For this reason an RI must read and adhere to 49 CFR 400-999. If an RI violates the regulations its registration may be subject to suspension or revocation and/or civil penalties may be imposed.

PART 592—REGISTERED IMPORTERS OF VEHICLES NOT ORIGINALLY MANUFACTURED TO CONFORM TO THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Section:

- 592.1 Scope
- 592.2 Purpose
- 592.3 Applicability
- 592.4 Definitions
- 592.5 Requirements for registration and its maintenance
- 592.6 Duties of a registered importer
- 592.7 Revocation, suspension and reinstatement of registration
- 592.8 Inspection; release of vehicle and bond

AUTHORITY: P. L.100-562, 49 U.S.C. 322(a), 30117; delegation of authority at 49 CFR 1.50.

SOURCE: 54 FR 40090, Sept. 29, 1989, unless otherwise noted.

§592.1 Scope

This part establishes procedures under 49 U.S.C. 301419© for the registration of importers of motor vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards. This part also establishes the duties of Registered Importers. [59 FR 52098, Oct. 14, 1994]

§592.2 Purpose

The purpose of this part is to provide content and format requirements for persons who wish to register with the Administrator as importers of motor vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards, to provide procedures for the registration of importers and for the suspension, revocation and reinstatement of registration, and to set forth the duties required of Registered Importers.

§592.3 Applicability

This part applies to any person who wishes to register with the Administrator as an importer of nonconforming vehicles, and to any person who is registered as an importer.

§592.4 Definitions

All terms in this part that are defined in 49 U.S.C. 30102 and 30125 are used as defined therein.

Administrator

The Administrator, National Highway Traffic Safety Administration.

NHTSA

The National Highway Traffic Safety Administration.

Registered importer

Any person that the Administrator has registered as an importer pursuant to section 592.5(b).

[54 FR 40090, Sept. 29, 1989, as amended at 59 FR 52098, Oct. 14, 1994]

§592.6 Requirements for registration and its maintenance

- (a) Any person wishing to register as an importer of motor vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards must file an application which:

(1) Is headed with the words "Application for Registration as Importer", and submitted in three copies to National Highway Traffic Safety Administration

Administrator
Room 6115, 400 7th Street SW
Washington, DC 20590
Attn: NSA-32 Importer Registration.

(2) Is written in the English language.

(3) Sets forth the full name, address, and title of the person preparing the application, and the name, address, and telephone number of the person for whom application is made.

(4) Sets forth, as applicable, the names of all owners, including shareholders, partners, or sole proprietors, of the person for whom application is made.

(5) If any of the owners listed in paragraph (a)(4) of this section are corporations, sets forth the names of all shareholders of such corporation whose ownership interest is 10 percent or greater.

(6) Contains a statement that the applicant has never had a registration revoked pursuant to §592.7, nor is it or was it, directly or indirectly, owned or controlled by, or under common ownership or control with, a person who has had a registration revoked pursuant to §592.7.

(7) Contains a certified check payable to the Treasurer of the United States, for the amount of the initial annual fee established pursuant to Part 594 of this chapter.

(8) Contains a copy of a contract to acquire, effective upon its registration as an importer, a prepaid mandatory service insurance policy underwritten by an

independent insurance company, or a copy of such policy, in an amount that equals \$2,000 for each motor vehicle for which the applicant will furnish a certificate of conformity to the Administrator, for the purpose of ensuring that the applicant will be able financially to remedy any noncompliance or safety related defect determined to exist in any such motor vehicle in accordance with Part 573 and Part 577 of this chapter. If the application is accompanied by a copy of a contract to acquire such a policy, the applicant shall provide NHTSA with a copy of the policy within 10 days after it has been issued to the applicant.

(9) Sets forth in full data, views, and arguments of the applicant sufficient to establish that the applicant will be able, through a records system of acquiring and maintaining names and addresses of owners of vehicles for which it furnishes a certificate of conformity, and Vehicle Identification Numbers (VINs) of such vehicles, to notify such owners that a noncompliance or safety related defect exists in such vehicles, and that it will be financially able to remedy a noncompliance or safety related defect through repurchase or replacement of such vehicles, or technically able through repair of such vehicles, in accordance with Part 573 and Part 577 of this chapter.

(10) Segregates and specifies any part of the information and data submitted under this part that the applicant wishes to have withheld from public disclosure in accordance with Part 512 of this chapter.

(11) Contains a statement that the applicant will fully comply with duties of a Registered Importer as set forth in §592.6.

(12) Has the applicant's signature acknowledged by a notary public.

- (b) If the information submitted is incomplete, the Administrator notifies the applicant of the areas of insufficiency, and that the application is in abeyance.
- (c) If the Administrator deems it necessary for a determination upon the application, NHTSA conducts an inspection of the applicant. Subsequent to the inspection, NHTSA calculates the costs attributable to such inspection, and notifies the applicant in writing that such costs comprise a component of the initial annual fee and must be paid before a determination is made upon its application.
- (d) When the application is complete (and, if applicable, when a sum representing the inspection component of the initial annual fee is paid), it is reviewed and a determination made whether the applicant should be granted the status of Registered Importer. Such determination may be based, in part, upon an inspection by NHTSA of the conformance, storage, and record keeping facilities of the applicant. If the Administrator determines that the application is acceptable, (s)he informs the applicant in writing that its application is approved, and issues it a Registered Importer Number. If the information is not acceptable, the Administration informs the applicant in writing that its application is not approved. No refund is made of those components of the initial annual fee representing the costs of processing the

application, and conducting an inspection. Refund is made of that component of the initial annual fee representing the remaining costs of administration of the registration program.

- (e) In order to maintain its registration, a Registered Importer shall provide an annual statement that affirms that all information provided under paragraphs (a)(4), (a)(5), (a)(6), (a)(9), and (a)(11) of this section remains correct, and that includes a current copy of its insurance policy procured pursuant to paragraph (a)(8) of this section. Such statement shall be titled "Yearly Statement of Registered Importer", and shall be filed not later than October 31 of each year. A Registered Importer shall also pay such annual fee or fees as the Administrator may from time to time establish under part 594 of this chapter. An annual fee shall be paid not later than October 31 of any calendar year, and shall be the annual fee for the fiscal year that began on October 1 of that calendar year. Any other fee shall be payable not later than 30 calendar days after the date that the Administrator has notified the Registered Importer of it in writing.
- (f) A Registered Importer shall notify the Administrator in writing of any change that occurs in the information which is submitted in its application, not later than the end of the both calendar day after such change.
- (g) A registration granted under this part is not transferable.

[54 FR 40090, Sept. 29, 1989, as amended at 54 FR 47088, Nov. 9, 1989; 55 FR 37330, Sept. 11, 1990].

3. FMVSS AND REGULATIONS

This section identifies regulations and safety standards that you are responsible for knowing and following. Below is an index of the various regulations administered by NHTSA.

49 Code of Federal Regulations Parts 500-599 Safety Regulations and Federal Motor Vehicle Safety Standards

Regulations

Part 501	Organization and Delegation of Powers and Duties
Part 509	OMB control numbers for Information collection requirements
Part 510	Information gathering powers
Part 511	Adjudicative procedures
Part 512	Procedures for considering environmental impacts
Part 523	Vehicle classification
Part 525	Exemptions from average fuel economy standards
Part 526	Petitions and plans for relief under the Automobile Fuel Efficiency Act of 1980
Part 529	Manufacturers of multistage automobiles

Part 531	Passenger automobile average fuel economy standards
Part 533	Light truck fuel economy standards
Part 535	3-year carryforward and carryback of credits for light trucks
Part 537	Automotive fuel economy reports
Part 538	Manufacturing incentives for alternative fuel vehicles
Part 541	Federal motor vehicle theft prevention standard
Part 542	Procedures for selecting lines to be covered by the theft prevention standard
Part 543	Exemption from vehicle theft prevention standard
Part 544	Insurer reporting requirements
Part 551	Procedural rules
Part 552	Petitions for rulemaking, defect, and noncompliance orders
Part 553	Rulemaking procedures
Part 554	Standards enforcement and defects investigation
Part 555	Temporary exemption from motor vehicle safety standards
Part 556	Exemption for Inconsequential defect or noncompliance
Part 557	Petitions for hearings on notification and remedy of defects
Part 564	Replaceable light source information
Part 565	Vehicle identification number requirements
Part 566	Manufacturer identification
Part 567	Certification
Part 568	Vehicles manufactured in two or more stages
Part 569	Regrooved tires
Part 570	Vehicle in use inspection standards
Part 571	Federal motor vehicle safety standards (see Part 571 below for standards)
Part 572	Anthropomorphic test devices
Part 573	Defect and noncompliance reports
Part 574	Tire identification and recordkeeping
Part 575	Consumer information regulations
Part 576	Record retention
Part 577	Defect and noncompliance notification
Part 578	Civil penalties
Part 579	Defect and noncompliance responsibility
Part 580	Odometer disclosure requirements
Part 581	Bumper standard
Part 582	Insurance cost information regulation
Part 583	Automobile parts content labeling
Part 585	Automatic restraint phase in reporting requirements
Part 586	Side impact phase-In reporting requirements
Part 587	Side impact moving deformable barrier
Part 588	Child restraint systems recordkeeping requirements
Part 589	Upper interior component head impact protection phase-in reporting requirements.
Part 590	Back door latch hinge, and lock phase-in reporting requirements
Part 591	Importation of vehicles and equipment subject to Federal safety, bumper and theft prevention standards
Part 592	Registered importers of vehicles not originally manufactured to conform to the Federal motor vehicle safety standards

- Part 593 Determinations that a vehicle not originally manufactured to conform to the Federal motor vehicle safety standards is eligible for importation
- Part 594 Schedule of fees authorized by 49 U.S.C. 30141

The next page identifies the various safety standards and the vehicle type that they apply to. You need to know the requirements of these standards in order to submit petitions and bring vehicles into conformity.

FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS); APPLICABILITY								
49 CFR Part 571	Passenger Car	MPV Lt Truck (1)	Heavy Truck (2)	Bus	Motorcycle	Trailer	Equipment	Low- Speed
FMVSS Number								
100 Series (Crash Avoidance)								
101 Controls and Displays	●	●	●	●				
102 Transmission Shift Lever Sequence	●	●	●	●				
103 Windshield Defrosting and Defogging Systems	●	●	●	●				
104 Windshield Wiping and Washing Systems	●	●	●	●				
105 Hydraulic and Electric Brake Systems	●	●	●	●				
106 Brake Hoses	●	●	●	●	●	●	●	
108 Lamps, Reflective Devices and Associated Equipment	●	●	●	●	●	●	●	
109 New Pneumatic Tires	(3)	(4)		(4)		(4)	●	
110 Tire Selection and Rims	●						●	
111 Rearview Mirrors	●	●	●	● (5)	●			
113 Hood Latch System	●	●	●	●				
114 Theft Prevention	●	●						
116 Hydraulic Brake Fluids	●	●	●	●	●	●	●	
117 Retreaded Pneumatic Tires (passenger cars)							●	
118 Power-Operated Window Systems	●	●						
119 New Pneumatic Tires for Trucks, Buses etc.		(4)	(4)	(4)	(4)	(4)	●	
120 Tire Selection and Rims for Trucks, Buses etc.		●	●	●	●	●	●	
121 Air Brake Systems			●	●		●		
122 Motorcycle Brake Systems					●			
123 Motorcycle Controls and Displays					●			
124 Accelerator Control Systems	●	●	●	●				
125 Warning Devices							●	
129 New Non-Pneumatic Tires for Passenger Cars	(3)	(4)					●	
131 School Bus Pedestrian Safety Devices				● (5)				
135 Passenger Car Brake Systems	●	● (6)						

49 CFR Part 571	Passenger Car	MPV Lt Truck (1)	Heavy Truck (2)	Bus	Motorcycle	Trailer	Equipment	Low-Speed
FMVSS Number								
200 Series (Crash Worthiness)								
201 Occupant Protection in Interior Impact	●	●		● (1)				
202 Head Restraints	●	●		● (1)				
203 Impact Protection for Driver Steering Controls	●	●		● (1)				
204 Steering Control Rearward Displacement	●	●		●				
205 Glazing Materials	(7)	(7)	(7)	(7)	(7)		●	(7)
206 Door Locks and Retention Components	●	●	●					
207 Seating Systems	●	●	●	●				
208 Occupant Crash Protection	●	●	●	●				
209 Seat Belt Assemblies	(7)	(7)	(7)	(7)			●	
210 Seat Belt Assembly Anchorages	●	●	●	●				
212 Windshield Mounting	●	●		● (1)				
213 Child Restraint Systems	●	●		●			●	
214 Side Impact Protection	●	●		● (1)				
216 Roof Crush Resistance	●	● (8)		● (8,9)				
217 Bus Emergency Exits and Window Retention				●				
218 Motorcycle Helmets							●	
219 Windshield Zone Intrusion	●	●		● (1)				
220 School Bus Rollover Protection				● (5)				
221 School Bus Body Joint Strength				● (5)				
222 School Bus Seating and Crash Protection				● (5)				
223 Rear Impact Guards							●	
224 Rear Impact Protection						● (2)		
300 Series (Post Crash Protection)								
301 Fuel System Integrity	●	●		● (5)				
302 Flammability of Interior Materials	●	●	●	●				
303 Fuel System Integrity of Compressed Natural Gas Vehicles	●	●		● (1,5)				
304 Compressed Natural Gas Fuel Container Integrity							●	

49 CFR Part 571 FMVSS Number	Passenger Car	MPV Lt Truck (1)	Heavy Truck (2)	Bus	Motorcycle	Trailer	Equipment	Low-Speed
500 Series (Low Speed Vehicles)								
500 Low-Speed Vehicles								●
(1) Gross Vehicle Weight Rating (GVWR) <i>less than or equal to 4,536 Kg (10,000 lb)</i> (2) GVWR <i>greater than 4,536 Kg (10,000 lb)</i> (3) See FMVSS No. 110 (4) See FMVSS No. 120		(5) Applies to or has different requirements for School Buses (6) GVWR <i>less than or equal to 3,500 Kg (7,716 lb)</i> (7) For use in (8) GVWR <i>less than or equal to 2,722 Kg (6,001 lb)</i> (9) Does not apply to School Buses						

Passenger Car: Motor vehicle with motive power, except a low-speed vehicle, multipurpose passenger vehicle, motorcycle or trailer designed for carrying 10 persons or less.

Multipurpose Passenger Vehicle: Motor vehicle with motive power, except a low-speed vehicle or a trailer designed to carry 10 persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation.

Truck: Motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment.

Bus: Motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.

School Bus: A bus that is sold, or introduced in interstate commerce, for purposes that include carrying students to and/or from school or related events, but does not include a bus designed and sold for operation as a common carrier in urban transportation.

Motorcycle: Motor vehicle with motive power, having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground.

Trailer: Motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle.

Motor Vehicle Equipment: Individual vehicle components or systems whether installed on a new vehicle or provided as a replacement or accessory that are subject to a FMVSS.

Low-Speed Vehicle: 4-wheeled motor vehicle, other than a truck, with a maximum speed greater than 20 and not more than 25 miles per hour.

See Appendix for additional information on FMVSS Nos. 121, 208, 214, 223, and 224.

4. RECALL INSURANCE POLICY

The policy is to ensure that the applicant will be financially able to remedy any noncompliance or safety-related defect determined to exist within a vehicle for which it submitted a conformity statement. The remedy must be performed at no cost to the owner of the vehicle for a period of 8 years after the date of entry. The RI must have a new agreement signed each year with an insurance company that is authorized to write a recall insurance policy. The policy must cover the period for which registration fees are submitted.

Insurance companies known to issue warranty policies to insure RIs against the cost of notification and remedy of safety related defects and noncompliance with the FMVSS (ref. 49 CFR 592).

Automobile Consumer Service Corp.
2007 Poole Dr., Suite A
Huntsville, AL 35810
205-851-6777 or 800-824-7059

This list will be amended when additional sources are identified.

5. RI FEES

There are two processing fees that must be paid to NHTSA when importing a vehicle. One fee is to reimburse USCS for processing the bond and the other fee is to reimburse the NHTSA for processing conformity statements. For vehicles imported from a country other than Canada there are additional fees to cover costs associated with petitions for eligibility determinations.

REGISTERED IMPORTER FEES

Requirement	Fee 2000
Registered Importer	\$491.00
Annual Renewal of Registration	\$350.00
Vehicle Eligibility Determination and Importation:	
Petition for substantially similar vehicle	
• Paid when petition is filed	\$199.00
• Paid for each covered vehicle	\$125.00
Petition for vehicle capable of being modified	
• Paid when petition is filed	\$721.00
• Paid for each covered vehicle	\$125.00
NHTSA Initiative—Paid by RI for each covered vehicle	\$125.00
Bond Processing Costs for Each Vehicle	
Bond	\$5.40
Conformity Package	\$16.00
Electronically: E-Mail & Credit Card*	\$13.00

*If the RI has a customs broker on the ABI system (electronic entry), an E-Mail address for correspondence, and an approved credit card to charge vehicle fees, the RI receives a \$3 per vehicle package discount.

Vehicle Processing Fee Explanation:

Bond - Fee for U.S. Customs Service to process bond.

Conformity Package - Fee to reimburse NHTSA for review of vehicle packages and issue bond releases.

6. CREDIT CARD

Credit Card Approval for Payment of Fees: The RI is encouraged to complete a form that permits all fees to be charged to a credit card. Monthly statements are issued identifying the charges billed for the previous month. If a credit card is used to pay fees, an RI may be eligible for a \$3 reduction for each conformity package processed. A credit card authorization form is in the appendix.

7. DECLARATION FORM (HS-7)

This form is used to declare imported motor vehicles and motor vehicle equipment subject to the FMVSS. Most Custom Brokers now file this form electronically with the USCS. You will have to provide your broker with sufficient information to make the customs entry. A sample of the HS-7 form is found in the appendix.

TOP SECTION: The first line must be completed with the port of entry, the Custom port code, the Custom entry no. and the date of entry. The second line contains vehicle information. The third line must be completed with the name of the Registered Importer, its registration number and the vehicle eligibility number. The fourth line should be completed if the importation is motor vehicle equipment.

CENTER SECTION: The center section of the form has 12 different choices to identify the type of entry. Box 3 is checked to import a vehicle that is to be modified by an RI, including petition vehicles.

BOTTOM SECTION: The bottom section identifies the importer of record and its address. The RI will be the importer unless the RI has a contract with the owner to import the vehicle. The declarant can be either the RI or the broker. The address of declarant is also required. The capacity of declarant and their signature is entered on the last line of the form and dated.

8. CONFORMITY PACKAGE FOR CANADIAN VEHICLES

Canadian Vehicles: Vehicles manufactured and certified in conformance with the Canadian Motor Vehicle Safety Standards which meet certain conditions can be imported into the U.S. under the following VSA eligibility numbers: VSA-80 for passenger vehicles, VSA-81 for MPV and Light Truck, VSA-82 for Heavy Trucks, and VSA-83 for Trailers and Motorcycles. If the vehicle does not meet the criteria below, a petition must be submitted to determine if the vehicle is eligible for importation. A sample submission of a conformity package may be found in the appendix.

VSA-80:

- (a) All passenger cars less than 25 years old that were manufactured before September 1, 1989.
- (b) all passenger cars manufactured on or after September 1, 1989, and before September 1, 1996, that met the FMVSS 208 requirements.
- (c) All passenger cars manufactured on or after September 1, 1996, and before September 1, 2002, that comply with FMVSS 208 and FMVSS 214.

VSA-81: (a) All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4,536 kg (10,000 lb) or less that are less than 25 years old and manufactured before September 1, 1991.

(b) All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4,536 kg (10,000 lb) or less that were manufactured on and after September 1, 1991, and before September 1, 1993, and that, as originally manufactured comply with FMVSS 202 and FMVSS 208.

(c) All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4,536 kg (10,000 lb) or less that were manufactured on or after September 1, 1993, and before September 1, 1998, that were originally manufactured to comply with FMVSS 202, 208, and 216.

(d) All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4,536 kg (10,000 lb) or less that were manufactured on or after September 1, 1998, and before September 1, 2002, that were originally manufactured to comply with FMVSS 202, 208, 214, and 216.

VSA-82:

All vehicles that are all multipurpose passenger vehicles, trucks, and buses with a GVWR greater than 4,536 kg (10,000 lb) that are less than 25 years old.

VSA-83:

All vehicles that are all trailers and motorcycles less than 25 years old.

Hi-theft vehicles: All vehicles listed in the hi-theft list identified in Part 541 must be marked in accordance with the standard prior to entry into the U.S. Vehicles marked by the original manufacturer need not be re-marked

Check for open recalls: At the time of importation an RI must check to determine if a vehicle is subject to a recall. If a vehicle is subject to a recall that has not been performed, it must be remedied before the conformity package is submitted to NHTSA. An RI is also responsible for notification and remedy for 8 years after importation of the vehicle. NHTSA will assist by notifying RIs of newly announced recalls. An RI must determine if its imported vehicle is subject to the recall. If a vehicle is subject to any uncompleted recalls, the owner must be notified and the remedy completed at not cost to the owner.

Vehicle Conformance:

The vehicle must be brought into conformity with the FMVSS and the RI certification label affixed within 120 days of entry, or the vehicle must be exported at no cost to the United States by the importer, or abandoned to the United States. All RIs are required to have a modification facility which includes a person capable of performing modifications needed to bring vehicles into conformity with the applicable standards and regulations, and capable of remedying vehicles that are subject to a recall. Contracting out conformance work is not permitted. Work must be performed by salaried employees of the company. Modifications to the speedometer itself can be

contracted out but the actual speedometer removal or replacement in the vehicle must be done by an RI.

Hold Vehicle: The vehicle must be held (not released from custody, offered for sale or allowed to be titled for highway use) until DOT issues a bond release or 30 days after the conformity package has been sent to NHTSA.

Vehicle Records: All imported vehicle records must be held for 8 years after the date of importation to satisfy the recall requirements of the regulations in Part 592. The owner of the vehicle should be kept current. These records may be inspected at anytime by NHTSA to confirm that the RI is performing its duties as stated in Part 592.

9. CONFORMITY PACKAGE FOR NON-CANADIAN VEHICLES

This type of submission is required for all vehicles not covered by the following eligibility numbers: VSA-80, VSA-81, VSA-82 and VSA-83. This also includes Canadian vehicles that do not have a Canadian certification label or mark.

Petitions: Vehicles not originally manufactured to comply with all applicable FMVSS cannot be permanently imported unless NHTSA decides that a vehicle is eligible for importation (capable of being modified to comply with all applicable FMVSS and regulations). Vehicles not previously determined eligible for importation must go through a petition process which takes between 90 and 120 days.

The RI must petition the agency to allow entry of a vehicle if not previously determined eligible for importation. There are two types of petitions that may be submitted. The most common petition is one based on the fact that the vehicle is substantially similar to a vehicle which was originally manufactured for importation into and certified for sale in the U.S. and that is capable of being readily modified to comply to all applicable FMVSS. Alternatively, where there is no substantially similar U.S. model, the petition is made on the basis that the vehicle has safety features that comply with or are capable of being modified to comply with all applicable FMVSS. For a petition based on the latter, the RI must submit test data or other evidence to demonstrate that the vehicle as modified complies with all applicable FMVSS. All petitions are published in the Federal Register for a 30 day comment period and again after a final decision is made concerning the vehicle's eligibility.

Vehicles that have been determined eligible for importation are published annually in the federal register and in 49 CFR Part 593.10. A list of vehicles determined eligible for importation is updated quarterly at the NHTSA web site. The importer of a vehicle admissible under any eligibility decision must enter that number on the HS-7 Declaration Form. Vehicles determined eligible based on an initiative by the Administrator are designated VSA. Vehicles determined eligible based on a petition from a manufacturer or an RI where the petition vehicle is substantially similar to a

vehicle offered for sale in the U.S. are designated as *VSP*. Vehicles determined eligible based on a petition from the manufacturer or an RI where the vehicles have safety features that comply with or are capable of being altered to comply with all FMVSS are designated *VCP*.

After a review of the comments, the agency decides whether or not the vehicle is eligible for importation and publishes the results in the **Federal Register**. A sample submission of a conformity package may be found in the appendix.

For information on how to submit a petition for a vehicle not listed in sec. 593.10 contact Mr. Luke Loy on 202-366-5308.

Hi-theft vehicles: All vehicles listed in the hi-theft list identified in Part 541 must be marked in accordance with the standard prior to entry into the U.S. Vehicles marked by the original manufacturer need not be re-marked.

10. DOT BOND

A surety bonding system was established which requires special purpose bonds (DOT) to be furnished to NHTSA to ensure that imported noncomplying vehicles will be brought into compliance with FMVSS, or exported or abandoned to the United States. The RI must contract with a bonding company to have a continuous bond to allow the RI to import vehicles. The DOT bond must be for 150% of the vehicle's value (amount paid to the seller of the vehicle). Under 49 U.S.C. 30141, an RI is required to have a USCS bond and a DOT bond. Under the USCS appraisal regulations in 19 CFR section 152, the price declared is the transaction value (price paid to the seller of the vehicle). If the declared value is less than the transaction value, it constitutes a breach of the regulations. If an incorrect value was declared, an RI may be subject to penalty and/or seizure of the vehicle.

The DOT bond is to ensure the following:

1. That a nonconforming vehicle will be brought into conformance with the Federal motor vehicle safety and bumper standards within 120 days of entry.
2. That the RI does not release custody of the vehicle to any person for use on public roads, license, or register the vehicle for 30 days after submission of the conformity package to NHTSA or has received a bond release letter from NHTSA.
3. That an RI will maintain custody of the vehicle if NHTSA has given written notice that it wants to inspect the vehicle or if it has reason to believe that the RI's certification is false or contains a misrepresentation.
4. That the RI will abandon the vehicle to the U.S. or deliver to Customs for export (at no cost to the government).

The RI should have a Customs house broker to complete the documents required to import motor vehicles. The documents should be filed electronically by the broker.

11. RI CERTIFICATION LABEL

After the RI has modified a vehicle, it is required to permanently affix a certification label to the vehicle in such a manner that it cannot be removed without destroying or defacing. The label must be in block capital letters not less than 3/32 of an inch high. The information on the label must be in a color that contrasts with the background and cannot be hand written. Except for trailers and motorcycles, the label shall be affixed to either the hinge pillar, door-latch post, door edge that meets the door-latch post next to the driver's seat or if none of these location are practical to the left side of the instrument panel. For trailers, the label shall be affixed on the forward half of the left side of the trailer. For motorcycles, the label shall be affixed to a permanent member of the vehicle as close as practicable to the intersection of the steering post with the handle bars. See Parts 567 and 568 for additional labeling requirements and the label required for vehicles on the high theft list.

The first label below is for passenger cars which must comply with the safety and bumper standards. The second label is a combination FMVSS 120/Part 567 label which may be used for all other vehicles that do not have to comply with the bumper standard.

MANUFACTURED BY:
THE FINE CAR COMPANY, INC.

IMPORTED BY
ABC IMPORTERS

DATE OF MANUFACTURE: MAY 1986

GVWR 000 KG (000 LB)
GAWR FRONT 000 KG (000 LB)
REAR 000 KG (000 LB)

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

VIN: 123456789X1234567

TYPE: PASSENGER CAR

MANUFACTURED BY:
THE FINE TRUCK COMPANY, INC.

IMPORTED BY
ABC IMPORTERS

DATE OF MANUFACTURE: MAY 1986

GVWR 000 KG (000 LB)

GAWR FRONT	WITH TIRES	AT COLD PRESSURE	RIMS
000 KG (000 LB)	000R00	00 KPA (00 PSI) SINGLE	00.0x0.00ZZ
GAWR REAR	WITH TIRES	AT COLD PRESSURE	RIMS
000 KG (000 LB)	000R00	00 KPA (00 PSI) DUAL	00.0x0.00ZZ

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

VIN: 123456789X1234567

TYPE: TRUCK

12. RECALL REPORTING REQUIREMENTS

Recalls

As an RI, you are responsible for conducting recalls on vehicles where you have submitted a statement of conformity and the vehicle has a noncompliance with a safety standard or contains a safety-related defect. When an RI receives notification or learns of a recall, on the same make, model, and year as the vehicle it imported, the RI is obligated to determine if it applies to the vehicle it imported. If the recall applies, the RI must notify the owner of the vehicle and have the remedy completed without cost to the owner of the vehicle. Each RI must follow the procedures for recalls as specified in 49 CFR 592.6. The requirement of 49 U.S.C. 30120 to provide remedy without charge, does not apply if the noncompliance or safety-related defect exists in a motor vehicle whose first sale after importation occurred more than 8 calendar years before notification of the defect or noncompliance was furnished to owners of the affected vehicles. If a safety related defect is attributable to the original manufacturer, the requirements of 49 U.S.C. 30120 do not apply to a motor vehicle whose date of first purchase, if known, or if not known, whose date of manufacture is more than 8 years from the date on which notification was furnished. NHTSA assists RI's by providing a list of vehicles on a quarterly basis that fall within the range that a manufacturer has identified to NHTSA as being the subject of a recall. A *Recall Compendium* and a Part 573 quarterly status report is included in the appendix to assist you with conducting

recalls. For additional information about recalls contact Mr. Roy Shannon on 202-366-5307.

Notification

If you find an “*” before a VIN on the quarterly recall list, it means that there was insufficient information at the time the list was generated to determine if the vehicle was within the range of the vehicles being recalled. Owner notification is expected to occur within 30 days of receipt of this list. The number of vehicles determined to be unreachable due to export, theft, scrapping, failure to receive notification, or other reasons is to be provided as prescribed in Part 573.6(b)(5).

Renotification

An RI may be requested to renotify owners of motor vehicles if the completion rate for the recall is low. The scope, timing, form, and content of such follow-up notification will be established by OVSC in consultation with the RI to maximize the number of owners, purchasers, and lessees who will present their vehicles for remedy.

Quarterly Status Reports.

A quarterly status report [49 CFR Part 573.6] is required to be submitted on each safety recall campaign beginning with the calendar quarter in which owner notification begins. The quarterly status report is required to be submitted on the 30th day of the month following the end of each calendar quarter (April 30th, July 30th, October 30th, and January 30th). Quarterly status reports will be required from the quarter the notification begins through 6 consecutive quarters **after all owners are notified**. In an effort to simplify the reporting process, please submit tables similar to the *Part 573 Quarterly Status Report* in the appendix to OVSC.

Recordkeeping [Part 573.7]

Each RI must maintain a list of the names and addresses of owners of the vehicles involved in the recall. The list is to include the vehicle identification number and the recall status for each vehicle. The list must be maintained for 5 years after the owners are notified.

NHTSA Monitoring and Audits

OVSC will conduct random audits of recall information submitted by RIs to verify whether notification and remedy were provided. An audit will typically involve an information request to the RI for specific information on the recall including owner names and addresses, and the reported recall remedy status of each recalled vehicle. A follow-up survey with owners and manufacturers will generally complete the audit.

Failure to Comply

Any RI failing to comply with the recall requirements may be subject to civil penalties and/or revocation of its registration.

13. YEARLY MAINTENANCE INFORMATION

RI Yearly Maintenance Dates: The RI should submit the yearly maintenance information during September for the fiscal year which begins October 1. If all yearly maintenance information is not received by October 31, the company will lose its status as an RI. If the company wishes to become an RI again, it will be required to go through the complete application process as stated in Part 592.5. If you have questions contact Mr. Roy Shannon on 202-366-5307.

Yearly maintenance information:

1. A cashiers check payable to the **Treasury of the United States**
2. Statement required by 49 CFR Part 592.5 (e).
3. Warranty Insurance Policy with Notarized signatures.
4. Proof that the RI has a current copy of 49 CFR Parts 400-999.
5. Any changes to information on file.

14. ADDRESS CHANGE OR ADDITIONAL LOCATIONS

Changes from last Application: The RI must notify NHTSA in writing of any changes to the information which it submitted in its application. Changes to telephone or fax numbers, e-mail address and mailing address must be submitted no later than the end of the 30th calendar day after such change. If you change your modification facility, vehicle storage location or record storage location, or wish additional locations you must submit a narrated 8mm video tape (NOT A VCR) similar to the one you submitted when you became an RI and a copy of the lease for the property/facility or proof of ownership of the property/facility. Use of the new facility is not permitted until approved by NHTSA.

E-Mail, Telephone and Fax: An RI is a business located in the U.S. As such, each RI must have a telephone and fax which has a U.S. area code. Cell phones are not acceptable. An E-MAIL address is encouraged to obtain faster and receipt of other documents.

APPENDIX

FMVSS 208 and 214 CHART	A-1
PARTIAL FMVSS NO. 121 REQUIREMENTS	A-2
RI CREDIT CARD AUTHORIZATION FORM	A-3
CONFORMANCE PACKAGE FOR CANADIAN VEHICLES	A-6
CONFORMANCE PACKAGE FOR OTHER THAN CANADIAN VEHICLES	A-7
SAFETY RECALL COMPENDIUM	A-10
PART 573 QUARTERLY STATUS REPORT	A-64
FACILITY LOCATIONS AND CONTACTS	A-65
YEARLY MAINTENANCE INFORMATION LETTER	A-66
NEWSLETTERS	A-67

FMVSS 208 and 214 CHART

CRASH PROTECTION REQUIREMENTS (Expressed in % of annual vehicle production) (Rev 4-06-98)

FMVSS NO. 208						FMVSS NO. 214 Dynamic Test Only		
MY *	Automatic Crash Protection	Air Bags+ Type 2 Safety Belts (Combination of Pelvic and Upper Torso Restraint)	Automatic Crash Protection LTV (Trucks, Multipurpose Vehicles, & Buses)			PC		LTV
	PC (1984 Rule)	Air Bags+ type 2 Safety Belts PC (Congressional Mandate)	Option # 1 Effective date for the (1991 Rule)	Option # 2 Effective date for the (1991 Rule)	Air Bags + type 2 Safety Belts (Congressional Mandate)	Opt.# [1]	Opt.# [2]	
1987	10 (1)							
1988	25 (1)							
1989	40 (1)							
1990	100 (1)							
1991	100 (1)							
1992	100 (1)							
1993	100 (1)							
1994	100					10		
1995	100		20 (2)			25	100	
1996	100		50 (2)	100 (3)		40	100	
1997	100	95	90 (2)	100 (3)		100	100	
1998	100	100	100 (2)	100 (3)	80 (4)	100	100	
1999	100	100	100	100	100	100	100	100
2000	100	100	100	100	100	100	100	100

NOTE: Static 214 compliance on LTV of 10,000# or less is 90% of the yearly combined production for 1993 and 100% in 1994. Compliance for: **Opt[1]**09-01-93 (10%), 09-01-94 (25%), 09-01-95 (40%), 09-01-96 (100%) & **Opt [2]** is 100% on 09-01-94.

LEGEND: Passive Restraints (Automatic restraints) are restraints that require no action by occupant, such as air bags, motorized belts attached to a track around the door or some models with belts attached to the doors themselves .

PC = Passenger Cars

LTV = Light trucks, multipurpose passenger vehicles, and buses of 8500 # or less GVWR with 5500# or less unloaded wt.

MY* (Model Year)-**Ex # 1:** The new model year starts on September 1, which, is also the effective date of most standards. If a standard is effective for 1990 model passenger cars then only the cars built 9-1-89 thru 8-31-90 would be affected. **Ex #2:** Cars built for MY 1994 would be those built 9-01-93 thru 8-31-94, etc.

Type 2 Belt- Combination of Pelvic and Upper Torso Restraint or 3 point Lap and Shoulder combination.

(1) PC - Passive restraint @outboard front seating positions- Driver's side air bag with lap belt & 3 point belt system for passenger front is acceptable thru 8-31-93. After 8-31-93 both of these positions require automatic restraints.

(2) Must meet 20% in the 1995 model, 50% for 1996, 90% for 1997, and 100% for 1998- Driver air bag plus passive passenger restraint counts as 1.5 vehicles thru 08-31-97. From 09-01-94 thru 08-31-98 driver air bag and passenger manual 3 point belt count as one vehicle.

(3)The 1996 models must be 100% if compliance of 20% was not started in the 1995 models. Driver air bag and passenger type 2 belt counts as one vehicle thru 08-31-98.

(4) From 09-01-97 thru 08-31-98 driver air bag and 3 point belt count as one vehicle.

Effective Dates: PC - 09-01-90 - Rear Shoulder

PC - 09-01-91 - Rear Shoulder (convertible)

(Rear seats) LTV- 09-01-91 - Rear Shoulder

LTV- 09-01-92 - Rear Shoulder (removable seat)

NOTE: 214 dynamic testing only is listed on the chart and applies to LTV vehicles of 6000 # or less. Check each standard for any other requirements not on chart.

PARTIAL FMVSS NO. 121 REQUIREMENTS FOR HEAVY TRUCKS, BUSES AND TRAILERS

Air brake systems (49 CFR Part 571.121) on trucks, truck tractors, and trailers require an antilock braking system (ABS). *Check FMVSS No. 121 for total requirements for air brake vehicles.* The effective dates for some of the major items the RI can visually check on the ABS are as follows:

FMVSS No. 121 Air Brake Systems

Vehicle type	Required Equipment	Date Req
Trucks (single units)	ABS Malfunction Indicator Lamp for ABS on dash Pressure Gauge dash mounted	March '98 March '98 March '98
+ Tow Air Brake Vehicles	ABS continuous power circuit (1 or more) to tow vehicle	March '98
Truck Tractors	ABS Malfunction Indicator Lamp for ABS on dash Pressure Gauge dash mounted ABS continuous power circuit (1 or more) to tow vehicle	March '97 March '97 March '97 March '97
Trailers	ABS	March '98
Semi-Trailer including converter dolly	ABS	March '98

Definitions from Part 571.3:

Truck Single Unit: A motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment.

Tow Vehicle: A truck or tractor used to tow other air brake vehicles.

Full Trailer: A motor vehicle with or without power, designed for carrying persons or property and for being drawn by another motor vehicle.

Trailer Converter Dolly: A Trailer chassis equipped with one or more axles, a lower half of a fifth wheel and a drawbar.

Semi-Trailer: Same as Full Trailer.

Truck Tractor: A truck designed primarily for drawing other motor vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.

RI CREDIT CARD AUTHORIZATION FORM

The RI must fill out this form to use Visa or Master Card to pay the fees for its compliance packages, petitions, and/or RI renewals. Complete this form and make reference to it each time you want to use the card. Once completed the RI will need to notify us when the expiration date changes, an authorized user is no longer authorized, the card is canceled, stolen, or a different credit card will be used.

Visa	Master Card	Date : _____
Card Holders Name: _____		
Card Number: _____		
Expiration Date: _____		
Authorized User 1: _____		
(Print)		(Signature)
Authorized User 2: _____		
(Print)		(Signature)
RI Approval Number: _____		
RI Name: _____		
Phone Number: _____		
Fax Number: _____		
Address : _____		
E-Mail Address: _____		



US 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 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 <i>(Required when Box 3 is checked)</i>			VEHICLE ELIGIBILITY NO. <i>(Box 3)</i>
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, or Theft Prevention Standard was in effect. [591.5(i)]
- 2A. The vehicle, chassis-cab or equipment item conforms with all applicable Federal Motor Vehicle Safety Standards (or the vehicle does not conform solely because readily attachable equipment items which 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 chassis-cab, or affixed by the manufacturer to the equipment item or its delivery container in accordance with applicable National Highway Traffic Safety Administration (NHTSA) regulations [591.5(b)]; or
- Attachment:** For chassis-cab entry, see Box 9.
- 2B. The vehicle conforms with all applicable Federal Motor Vehicle Safety Standards of Canada and the United States except for minor labeling requirements, and I am importing it for personal use.
- Attachment:** Copy of manufacturer's confirmation letter.
3. The vehicle does not conform with all applicable Federal Motor Vehicle Safety and Bumper Standards, but does conform with 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 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 compliance with all such standards within 120 days after importation, then I state that I will deliver such vehicle to the Secretary of the Treasury for export, or abandon it to the United States [591.8]; and that
- a. I have registered with NHTSA pursuant to 49 CFR Part 592 and such registration has not been revoked or suspended; 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 has not been suspended or revoked. [591.5(f)]
- Attachments:** Copy of DOT Bond; and
Copy of Contract with a Registered Importer, if applicable.
4. The vehicle or equipment does not comply with 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. [591.5(c)]
5. The vehicle or equipment does not comply with all applicable Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards, but I am eligible to import it because:
- 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. [591.5(d)]
- d. Passport No. _____ Country of Issue _____
6. The vehicle does not conform with all applicable Federal Motor Vehicle Safety Standards, but I am eligible to import it because:
- a. I am a member of the foreign government on assignment in the United States, or a member of the Secretariat of a public international organization so designated under the International Organizations Immunities Act, and within the class of persons for whose free entry of motor vehicle has been authorized by the Department of State;
- b. I am importing the motor vehicle on a temporary basis for my personal use, and will register it through the Office of Foreign Missions 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. [591.5(h)(1)]
- Name of Embassy: _____
- Attachment:** Copy of Official Orders.
7. The vehicle or equipment does not comply with all Federal Motor Vehicle Safety and Bumper Standards, but is being imported solely for the purpose of research, investigations, show or display, demonstrations or training, or competitive racing events, and I state that I will comply with the applicable restrictions on importers of such merchandise [591.7] and I will provide the Administrator with documentary proof of export or destructions not later than 30 days following the end of the period for which the vehicle has been admitted into the United States. [591.5(j)]
- Attachment:**
- a. 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 comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS). Use on the public roads must be authorized specifically. [591.6(f)(1) or (2)];
- 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 for a wholly owned subsidiary thereof that are certified to comply with all applicable FMVSS. If use on 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 which makes such use necessary, state the estimated period of time during which 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. [591.6(f)(3)]
8. This 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. [591.5(a)]
- Attachment:** Importer's substantiating statement. [591.6(a)]
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 tie and rim assemblies, or minor finishing operations such as painting, and any part of such vehicle that is required to be marked by Part 541 of this chapter is marked in accordance with that part. [591.5(e)]
- Attachment:** Statement issued by the manufacturer of the incomplete vehicle, chassis-cab or equipment item which indicates the applicable Federal Motor Vehicle Safety Standard(s) with which the vehicle or equipment item is not in compliance, and which describes the further manufacturing required. [591.6(b)]
10. Reserved
11. The equipment item is subject to the Theft Prevention Standard and is marked in accordance with the requirements of 49 CFR 541. [591.5(k)]
12. The vehicle does not conform with all applicable Federal Motor Vehicle Safety Standards, but I am eligible to import it because:
- 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;
- d. I will export the vehicle upon departing the United States at the conclusion of a tour of duty; **and**
- e. I have attached a copy of my official orders. [591.5(h)(2)]
- Attachment:** Copy of Official Orders.

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

STATEMENT OF CONFORMITY

REGISTERED IMPORTER: _____ RI NO: _____

VEHICLE ELIG NO: _____ COUNTRY OF ORIGINAL CERTIFICATION: _____

VEHICLE YEAR, MAKE, MODEL: _____ TYPE OF VEHICLE: _____

VIN: _____ MONTH & YEAR OF MANUFACTURE: _____

CUSTOMS ENTRY NO: _____ ENTRY DATE: _____

PORT _____ (IF APPLICABLE) NAME AND _____

CODE: _____ ADDRESS OF IMPORTER: _____

Conformity to the U.S. Federal Motor Vehicle Safety Standards has been accomplished by one of the following:

- O - Conformed at time of original manufacture
- M - Modified to conform after original manufacture
- N - Not applicable

FMVSS	O	M	N
101 Controls and Displays			
102 Transmission Shift Lever, etc.			
103 Windshield Defrosting, Debagging			
104 Windshield Wiping, Washing			
105 Hydraulic Brake System			
106 Brake Hoses			
108 Lamps, Refledive Devices			
109 New Pneumatic Tires - Pass Cars			
110 Tire Selection, Rims - Pass Cars			
111 Rearview Mirrors			
113 Hood Latch System			
114 Theft Protection			
116 Motor Vehicle Brake Fluids			
118 Power Operated Window Systems			
119 New Pneumatic Tires - Non-Pass Cars			
120 Tire Selection, Rims - Non-Pass Cars			
121 Air Brake Systems			
122 Motorcycle Brake Systems			
123 Motorcycle Controls and Displays			
124 Accelerator Control Systems			
131 School Bus Pedestrian Safety Devices			
135 Passenger Car Brake Systems			
201 Occupant Protection in Interior Impact			
202 Head Restraints			
203 Impact Protection from Steering Control			
204 Steering Control Rearward Displacement			

FMVSS	O	M	N
205 Glazing Materials			
206 Door Locks and Retention Components			
207 Seating Systems			
208 Occupant Crash Protection			
209 Seat Belt Assemblies			
210 Seat Belt Assembly Anchorages			
212 Windshield Mounting			
213 Child Restraint Systems			
214 Side Door Strength			
216 Roof Crush Resistance			
217 Bus Window Retention, Release			
219 Windshield Zone Intrusion			
220 School bus Rollover Protection			
221 School bus Joint Strength			
222 School bus Seating			
223 Rear Impact Guards (effective 1-26-98)			
224 Rear Impact Protection (effective 1-26-98)			
225 Child Restraint Anchorage Systems			
301 Fuel System Integrity			
302 Flammability of Interior Materials			
303 Fuel System Integrity of CNG Vehicles			
304 CNG Fuel Container Integrity			
Part 541 Theft Prevention Standard			
Part 565 VIN Requirements			
Part 567 Certification			
Part 581 Bumper Standard			

Recalls remedied at time of importation. Campaign No(s): _____

Attached is proof that the vehicle has no outstanding recalls or proof that any recalls the vehicle was subject to have been remedied.

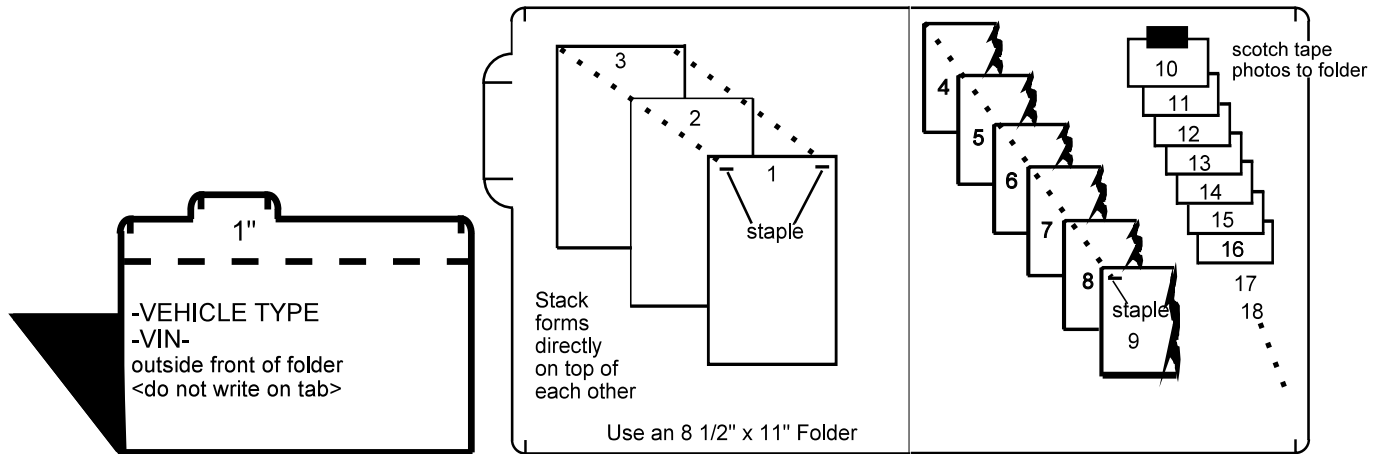
I certify that the vehicle identified above conforms as manufactured or as modified by me to all applicable U.S. Federal Motor Vehicle Safety Standards in effect on the date of manufacture, and that this conformance is fully substantiated in this statement. I certify that this vehicle is presently in my custody and will remain so until all applicable conditions of 49 CFR 591.8 are fulfilled. I certify that all non-complying parts removed from the vehicle have been exported or destroyed.

SIGNATURE OF REGISTERED IMPORTER: _____ DATE: _____

OR DESIGNATED REP

DESIGNATION: _____

CONFORMANCE PACKAGE FOR CANADIAN VEHICLES



FORMS:

1. Declaration (HS-7)
2. DOT Bond (591.5f)
3. Insurance Policy
4. Owner's Contract (if required)
5. Owner's Power of Attorney (if required)
6. Confirmation sheet on recall check
7. Confirmation on High Theft Vehicle Line
8. Statement of Conformity
9. Cover letter from RI enclosing forms, photos, and fees.

PHOTOS: (Place under forms) (items 10-18)

- 10/11) Manufacturer and RI labels, VIN label on dash *Use a 35 mm camera with a Macro lens to make photos large enough so the VIN is the entire photo.*
- 12) Speedometer
- 13/14) Passive Restraints for Driver and Passenger (if needed)
- 15/16) Outside of Vehicle ($\frac{3}{4}$ Front-Driver's side)
- 17/30) High theft VIN photos on parts (see note e)

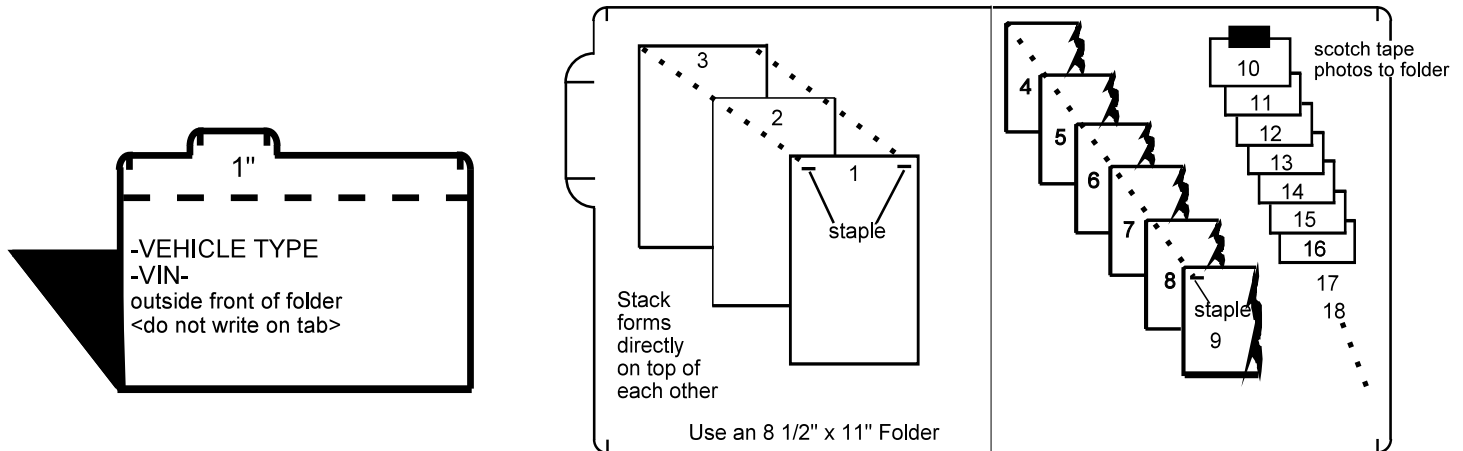
NOTES:

- a) Staple forms with one staple in top left and right corners of page with flat side of staple on outside of folder. Tape photos.
- b) Any other documentation should be placed under form No. 4.
- c) Passive Restraints - All passenger cars built on or after 9/1/89 must have passive restraints that are the same as U.S. comparison vehicle.
- d) Odometer must be marked "km" to indicate distance is in kilometers if the major scale on the speedometer is KPH
- e) High theft vehicles must have VIN inscribed on parts prior to entry into the U.S. The manufacturer should be contacted for location of where to mark each part. The High Theft Vehicle List is updated annually in the 49 CFR Part 541.

FEES:

Charged on Visa or MasterCard, or check made payable to U.S. Treasury.

CONFORMANCE PACKAGE FOR OTHER THAN CANADIAN VEHICLES



FORMS:

1. Declaration (HS-7)
2. DOT Bond (591.5f)
3. Insurance Policy
4. Owner's Contract (if required)
5. Owner's Power of Attorney (if required)
6. Confirmation sheet on recall check
7. Confirmation on High Theft Vehicle Line
8. Statement of Conformity
9. Cover letter from RI enclosing forms, photos, and fees.

PHOTOS: (Place under forms) (items 10-15)

- 10/11) Manufacturer and RI labels, including label stating location of manufacturer's label, VIN label on dash, tire & rim data label, and off-road vehicle label **Use a 35 mm camera with a Macro lens to make photos large enough so the VIN is the entire photo.**
- 12/13) Outside of Vehicle (¾ Front-Driver's side, and ¾ Rear-Passenger's Side)
- 14/15) Passive Restraints for Driver and Passenger (if needed)

NOTES:

- a) Staple forms with one staple in top left and right corners of page with flat side of staple on outside of folder. Tape photos.
- b) Any other documentation should be placed under form No. 4.
- c) Passive Restraints - All passenger cars built on or after 9/1/89 must have passive restraints that are the same as U.S. comparison vehicle.
- d) High theft vehicles (Part 541) must have the VIN inscribed on parts prior to entry into the U.S. The manufacturer should be contacted for location of where to mark each part. The High Theft Vehicle List is updated annually in the 49 CFR Part 541.

FEES:

Charged on Visa or MasterCard, or check made payable to U.S. Treasury.

Substantially similar petition

Modifications needed to bring vehicle into conformance

Capable of being modified petition

First vehicle

Conformance with all applicable standards

After first vehicle

Modifications needed to bring vehicle into conformance including photos of VIN markings on parts for the Theft Prevention Standard (see note d)

DOT BOND



BOND TO ENSURE CONFORMANCE WITH MOTOR VEHICLE SAFETY AND BUMPER STANDARDS

Section 591.5(g)

OMB No. 2127-0002
PL100-562, 15 USC 1397, and 1916

(To redeliver vehicle, to produce documents, to perform conditions of release, such as to bring vehicle into conformance with all applicable Federal Motor Vehicle Safety and Bumper Standards)

Know All Men by These Presents That _____ name of principal; If a corporation, the State of incorporation

of _____, as principal, street address or post office box number, city, state, Zip Code

and _____ of _____ address name, State of incorporation, if any

and _____ of _____ address name, State of incorporation, if any

as sureties, are held and firmly bound unto the UNITED STATES OF AMERICA in the sum of _____ dollars (\$_____), which represents 150% of the entered value of the following described motor vehicle as determined by the U. S. Customs Service:

_____ model year, make, series, engine and chassis numbers

for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents

WITNESS our hands and seals this _____ day of _____, 199__

WHEREAS, motor vehicles may be entered under the provisions of section 108, National Traffic and Motor Vehicle Safety Act of 1966, as amended; and section 106 of the Motor Vehicle Information and Cost Savings Act; and

WHEREAS, pursuant to 49 CFR Part 591, a regulation promulgated under the provisions of section 108, National Traffic and Motor Vehicle Safety Act of 1966, the above-bounden principal desires to import permanently the motor vehicle described above, which is a motor vehicle that was not originally manufactured to conform with the Federal motor vehicle safety standards and bumper standards; and

WHEREAS, pursuant to 591.5(g), a regulation promulgated under the provisions of section 108, the above-bounden principal is eligible to import a motor vehicle under the provisions thereof: to wit, the above bounden principal's assigned place of employment was outside the United States as of October 31, 1988 and (s)he has not had an assigned place of employment in the United States between the date and the date of entry of motor vehicle described above, and (s)he has not previously imported a motor vehicle into the United States manufactured on or after January 1, 1968, and (s)he had acquired (or had entered into a binding contract to acquire) the motor vehicle described above not later than October 31, 1988, and (s)he will enter the motor vehicle described above not later than October 31, 1992; and

WHEREAS, the motor vehicle described above has been imported at the port of _____ and entered at said port for consumption on entry No. _____, dated _____ 199__.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT-

(1) The above-bounden principal (the "principal"), in consideration of the permanent admission into the United States of the motor vehicle described above (the "vehicle"), voluntarily undertakes and agrees to have such vehicle brought into conformity with all applicable Federal motor vehicle safety and bumper standards within 120 days after such importation, as specified by the Administrator of the National Highway Traffic Safety Administration (the "Administrator");

(2) When the vehicle has been brought into conformity, the principal shall then file with the Administrator, a true and complete statement that the vehicle complies with each Federal Motor vehicle safety standard in effect in the year that the vehicle was manufactured and which applies in such year to vehicle, and that the vehicle also complies with the Federal bumper standard; (if applicable);

(3) The principal shall not offer the vehicle for sale, or sell the vehicle, until the principal has received written notice from the Administrator that the principal has fulfilled all tile conditions of the bond.

(4) And if the principal has received written notice from the Administrator that an inspection is required, the principal shall cause the vehicle to be available for inspection, and the vehicle and bond shall be promptly released after completion of an inspection showing no failure to comply. However, if the inspection shows a failure to comply, the vehicle and bond shall not be released until such time as the failure to comply ceases to exist;

(5) And if the principal has received written notice from the Administrator that there is reason to believe that the statement is false or contains a misrepresentation, the vehicle or bond shall not be released until the Administrator is satisfied with the statement and any modification thereof;

(6) And if the principal has received written notice from the Administrator that the vehicle has been found not to comply with all applicable Federal Motor vehicle safety and bumper standards, and written demand that the vehicle be abandoned to the United States, or delivered to the Secretary of the Treasury for the export (at no cost to the United States), the principal shall abandon the vehicle to the United States, or shall deliver the vehicle, or cause the vehicle to be delivered to, the custody of the District Director of Customs of the port of entry listed above, or any other port of entry, and shall execute all documents necessary for exportation of the vehicle from the United States, at no cost to the United States; or in default of abandonment or redelivery after proper notice by the Administrator to the principal, the principal shall pay to the administrator the amount of this obligation;

Then this obligation shall be void; otherwise it shall remain in full force and effect.

Signed, sealed, and delivered in the presence of

Name

Address

Name Address (Principal) (SEAL)

Name

Address

Name Address (Surety) (SEAL)

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____ certify that I am the am the _____ of the corporation named as principal in the within bond; that _____, who signed the bond on behalf of the principal, was then _____ of said corporation; that I know his/her signature, and his/her signature thereto is genuine; and that said bond was duly signed, sealed and attested for and in behalf of said corporation by authority of its governing body.

_____ (CORPORATE SEAL)

(To be used when a power of attorney has been filed with NHTSA, and may be executed by secretary, assistant secretary or other officer.)

Safety Recall Compendium

*A Guide for the Reporting, Notification, and Remedy
of
Motor Vehicle and Motor Vehicle Equipment in Accordance with
Title 49 of the United States Code, Chapter 301
and Supporting Federal Regulations*



Prepared by the
Recall Analysis Division
Office of Defects Investigation
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Introduction

Periodically, the Office of Defects Investigation (ODI) receives questions concerning the details of conducting a safety recall. This guide was developed for those manufacturers not familiar with our recall program, and to reiterate our position on the conduct of safety recalls for those manufacturers already familiar with the program.

The National Highway Traffic Safety Administration (NHTSA) is that agency within the U.S. Department of Transportation responsible for motor vehicle safety. Under Chapter 301 of Title 49 U.S.C. [formerly the National Traffic and Motor Vehicle Safety Act, as amended (the Act)], NHTSA is responsible for the administration of national safety recalls by manufacturers or distributors of motor vehicles and items of motor vehicle equipment where a safety defect or noncompliance with a Federal motor vehicle safety standard (FMVSS) has been determined. Safety recalls are conducted in accordance with the Act and Federal regulations. The agency also conducts investigations of alleged safety defects and tests for compliance with FMVSS.

This guide is intended for manufacturers, importers, private brand owners, and distributors who produce and/or distribute motor vehicles or items of motor vehicle equipment in the United States and its territories. This guide is not intended, nor is it possible, to be an all-inclusive reference for safety recalls of motor vehicles and equipment. This guide is also not intended to supersede or substitute for the requirements of the Act and the implementing Federal regulations. Users of this guide are advised that applicable regulations and statutory sections will prevail in the event of any conflict or inconsistency between them and the materials presented in this guide.

Any questions or concerns should be directed to Mr. Jon White or Mrs. Pat Wallace at (202) 366-5227 or faxed to (202) 366-7882. By using this guide and working with NHTSA, manufacturers can avoid unnecessary confusion and extra work while developing and implementing successful, effective safety recall campaigns. A timely, comprehensive safety recall is to the benefit of the public, the manufacturer, and NHTSA.

I. Reporting Requirements	1
When to Report	1
Who Should Report	1
The Defect/Noncompliance Information Report	2
Identifying the Recalling Manufacturer, et al	2
Recall Scope and Application	2
Description of the Safety Defect or Noncompliance	4
Remedy Development	4
Recall Schedule	5
Notices and Communications	6
Comments on the Defect/Noncompliance Information Report	6
Defect/Noncompliance Information Report Guide	7
How and to Whom	7
NHTSA Receipt and Acknowledgment	7
Public Access to the Safety Recall Information	8
Petitions for Inconsequentiality Determination	8
 II. Recall Remedy	 8
 III. Public Notification and Remedy Campaign	 9
Defect and Noncompliance Notification to Purchasers	9
Dealer Notice of Recall	10
The Notification Letter	10
Leased Vehicles	11
Approval of Owner Notification Envelopes	12
Contacting Unregistered Owners of Motor Vehicle Equipment	12
Public Notification: Press Releases and Other Media	12
Recalled Vehicles and Equipment in Inventory	13
 IV. Recall Monitoring and Performance	 13
Quarterly Status Reports	13
Quarterly Status Report Guide	14
Toll-Free Telephone Numbers	14
Recordkeeping and Maintenance	14
NHTSA Monitoring and Audits	15
NHTSA Consumer Complaints	15
 V. Conclusion	 16
Appendix A	Definitions

I. Reporting Requirements

When to Report [49 U.S.C. § 30118 and 49 CFR Part 573.5(b)]

A manufacturer who has determined that a safety defect or noncompliance exists, must report such a determination to NHTSA within 5 working days. A manufacturer need not have identified the cause, scope, or remedy in order to make a determination that a safety defect or noncompliance exists, at least in some vehicles or items of motor vehicle equipment. If part of the information which is required to fully describe the recall is unknown, notification to the agency must still be made with the existing information within 5 working days. The remaining information is to be provided as it becomes available.

Who Should Report [49 U.S.C. § 30102 and 30118; 49 CFR Parts 573.3 and 579]

Each manufacturer of a motor vehicle has recall responsibility for any safety-related defect or any noncompliance determined to exist in a vehicle or in any item of original equipment¹.

The manufacturer of an item of motor vehicle equipment in which a safety defect or noncompliance is determined to exist (1) is responsible for notifying the vehicle manufacturer and (2) with respect to an item of replacement equipment (including tires), has recall responsibility for the equipment containing the safety defect or noncompliance. [49 CFR Part 579, "Defect and Noncompliance Responsibility."]

Federal Regulation 49 CFR Part 573, "Defect and Noncompliance Reports," identifies the specific requirements for safety recalls including defect/noncompliance information reports and quarterly status reports.

If an item of original equipment is determined to contain a safety defect or noncompliance and is installed in the vehicles of more than one manufacturer, then the equipment manufacturer must file a defect/noncompliance information report with respect to the equipment and each vehicle manufacturer must file a defect/noncompliance information report with respect to its vehicles containing that equipment. Either the vehicle manufacturer or the manufacturer of the equipment containing the defect/noncompliance can conduct the actual recall and submit the required quarterly reports. In the case where the item of original equipment containing a defect or noncompliance is sold to only one vehicle manufacturer, the filing of the defect/noncompliance information report, performance of the recall, and the filing of the quarterly reports by either manufacturer is considered compliance by both. However, if the original equipment manufacturer also sells the item as replacement equipment, then that equipment manufacturer must also file and conduct a recall for those items of replacement equipment. [Part 573.3 49 CFR]

¹**Original Equipment:** an item of motor vehicle equipment which was installed in or on a motor vehicle at the time of its delivery to the first purchaser.

This means that a vehicle manufacturer has the ultimate responsibility for what is installed in the vehicle. A supplier of the original equipment which may contain either a defect or a noncompliance, can conduct the recall for the vehicle manufacturer. However, if the supplier also sells the item of motor vehicle equipment as replacement parts or assemblies, then that manufacturer must file a 49 CFR Part 573 report and conduct a recall for those items of replacement equipment.

The Defect/Noncompliance Information Report

[49 U.S.C. § 30166, 30118, and 30119 and 49 CFR Part 573.5(c)]

Part 573.5 addresses Defect and Noncompliance Information Reports, commonly referred to as 573 reports, which must be filed within 5 working days of a determination by the manufacturer, or its agent, that a defect or noncompliance exists in its vehicles or items of motor vehicle equipment. Key elements of the information report to the agency are the recall population, problem description, chronological summary, remedy, and recall schedule. As noted above, not all information is necessary in order to make a determination that a defect or noncompliance exists; and as a result, need not be submitted with the initial 573 report. Such information must, however, be submitted as it is identified.

Some submitted Defect/Noncompliance Information Reports have resulted in follow-up requests for certain additional information, particularly concerning the recall scope, the cause of the defect or noncompliance, the supplier of the recalled component/assembly (if applicable), the remedy, or the remedy schedule. Complete information in these areas is necessary as soon as it is identified in order for the agency to ensure that the recall program is adequate to address the safety concerns of the agency and the public.

Identifying the Recalling Manufacturer, Importer, Distributor, or Brand Name Owner

The full corporate and/or individual identification of the fabricating manufacturer/brand name/trademark owner of the vehicle or item of motor vehicle equipment being recalled must be identified in the report. If the recalled vehicle or item is imported, the name and address of the designated agent must be provided. [as prescribed by 49 U.S.C. § 30164(a) and 49 CFR Part 573.5(c)(1)]

If the recalling manufacturer has an identification code for the recall, and that code is not identical to the identification number assigned by NHTSA, then the manufacturer's code for the recall must be provided with the recall report. [Revised 49 CFR Part 573.5(c)(11)]

Recall Scope and Application

Part 573.5(c)(2) specifies that the recalled population of vehicles or items of motor vehicle equipment be identified as follows:

(I) Passenger Cars - Furnish the make, model, model year, the inclusive dates (by month and year) the vehicles were manufactured, and the number of vehicles potentially containing the defect or noncompliance for each model vehicle recalled. Furnish any other information necessary to describe or distinguish the recalled vehicles. It is requested that the Vehicle Identification Number (VIN) range of the recalled vehicles be provided.

(ii) All Other Vehicles - Furnish the make, model (if applicable), bodystyle/type, model year (if applicable), the inclusive dates (by month and year) the vehicles were manufactured, and the number of vehicles potentially containing the defect or noncompliance for each model or applicable vehicle line. Furnish any other information necessary to describe or distinguish the recalled vehicles, such as gross vehicle weight rating or class for trucks, engine displacement (cc) for motorcycles, and number of passengers for buses. Photographs or illustrations may be submitted, as appropriate. It is requested that the VIN range of the recalled vehicles be provided.

(iii) Motor Vehicle Equipment - Furnish the generic name of the item (i.e., tire, axle, cruise control, etc.), brand or trade name, part number, size and function (where applicable), the inclusive dates (by month and year) the item was manufactured, and the number of items potentially containing the defect or noncompliance for each recalled item series or product line. Furnish any other information necessary to describe or distinguish the recalled item or product line. In addition, the manufacturer of the equipment must provide the name, address, and telephone number of every manufacturer that purchases the defective or noncomplying component for use or installation in new motor vehicles or new items of motor vehicle equipment. [49 CFR Part 573.5(c)(2)(iii) & (v)]

(iv) Motor Vehicle or Motor Vehicle Equipment Containing a Component that contains a defect or noncompliance produced by a manufacturer other than the reporting manufacturer (i.e., when the defective or noncomplying product is from a vendor or supplier). The reporting manufacturer shall identify the component and the manufacturer of the component by name, business address, and telephone number. If the reporting manufacturer does not know the manufacturer of the component, then it shall identify the name, address, and telephone number of the entity from which the component was obtained.

The total number of vehicles or items of motor vehicle equipment recalled potentially containing the defect or noncompliance and the approximate percentage of the total number of vehicles or items of motor vehicle equipment estimated to actually contain the defect or noncompliance shall be provided. [49 CFR Part 573.5(c)(3) & (4)]

The scope of the recall, how it was determined, and whether other vehicles or manufacturers may be involved is extremely important. This includes information concerning how the inclusive dates of manufacture and the involved vehicles were determined. If the initial date of the recalled population is the start of production for the vehicle (or item of motor vehicle equipment), then it should be identified as such. In any case, an explanation on how the starting and ending dates of manufacture for the recalled population was determined must be provided. Also, the agency

needs a clear definition of the recalled population. As appropriate, this includes a description of why a particular model or model year vehicle was included, but some other similar vehicle was not.

Description of the Safety Defect or Noncompliance

The description should include, but not be limited to, a brief summary of the nature (addressing the contributing factors and known causes), physical location, and the consequence of the defect or noncompliance. Photographs or illustrations should be provided where appropriate. [49 CFR Part 573.5(c)(5)]

A description of the cause of the defect or noncompliance should allow the agency to ascertain whether the problem may be supplier-related, and whether other vehicle manufacturers may also have the same problem. A complete discussion of the cause of the defect or noncompliance is needed in order to determine if the remedy is appropriate and adequate.

When the defect/noncompliance is in a particular component or assembly which is (a) supplied by another manufacturer, or (b) that component or assembly is possibly sold to other manufacturers or distributors in virtually the same form and manufacture; all these entities are to be identified.

In the case of a defect: a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect must be provided. The summary should include, but not be limited to, the number of reports, consumer complaints, accidents, injuries, fatalities, and warranty claims. [49 CFR Part 573.5(c)(6)]

With respect to a noncompliance: the test results or other data (including dates) on which the manufacturer determined the existence of the noncompliance are to be provided. [49 CFR Part 573.5(c)(7)]

Remedy Development

The manufacturer's program for the remedy of the defect or noncompliance is to be included as part of the report. The manufacturer should include a full description of what the remedy is, how the remedy will be implemented, and how the remedied vehicle or item of motor vehicle equipment can be distinguished from the recalled motor vehicle or item of motor vehicle equipment. If the motor vehicle or item of motor vehicle equipment is still manufactured at the time of the recall, identify and describe the production remedy if it is different than the field fix. [49 CFR Part 573.5(c)(8)]

It is the manufacturer's responsibility to ensure that the recall remedy will perform satisfactorily, both as installed and in-service. As such, the agency is concerned with how the remedy, or the durability of the remedy, was established. In noncompliance recalls involving performance, testing to demonstrate compliance is likely to be requested.

For motor vehicles: a vehicle manufacturer must provide the parts and instructions necessary to remedy new vehicles in dealer or distributor inventory as soon as possible. Once notified that a new vehicle in the dealer's possession contains a safety-related defect or noncompliance, a dealer cannot sell the vehicle until the defect or noncompliance is remedied. [49 U.S.C. § 30116 and 30120]

For items of motor vehicle equipment: manufacturers must immediately offer to repurchase all unsold inventory of distributor and dealer/retailer stock which may contain a safety defect or noncompliance. Once notified that a new item of equipment in the dealer's possession contains a safety-related defect or noncompliance, a dealer cannot sell the item of equipment until the defect or noncompliance is remedied. [49 U.S.C. § 30116 and 30120]

Recall Schedule

The recalling manufacturer is to provide the estimated date on which it will begin sending notifications to owners of a safety-related defect or noncompliance that the remedy without charge will be available, and the estimated date on which it will have completed such notification. If a manufacturer subsequently becomes aware that either the beginning or the completion date reported to the agency for notifying owners involved in the recall will be delayed by more than 2 calendar weeks, that manufacturer shall promptly advise the agency of the delay, including the reasons for the delay, and a revised estimate. [49 CFR Part 573.5(c)(8)(ii)]

The remedy program and schedule provided by the recalling manufacturer should include the approximate or actual date of the principle events (e.g., date the remedy will be developed, date the manufacturer will have sufficient parts to begin the campaign, date the owner notification list of names and address will be ready, date the dealer/distributor/retailer notice will be sent out, date the owner notification letter will be sent out, date and form of media notification, projected dates for follow-up notification, etc.). The schedule should also clearly identify how the notification campaign implementation plan is to be conducted, i.e., nationally and uniformly, phased, or some other permutation. If the implementation plan for the public notice campaign is other than national and uniform, the basis for the particular implementation plan should be fully explained.

If a manufacturer intends to file a petition for an exemption from the recall requirements of Chapter 301 of Title 49 U.S.C. on the basis that a defect or noncompliance is inconsequential as it relates to motor vehicle safety, it shall notify NHTSA of that intention in its report to NHTSA of the defect or noncompliance under this section. In addition, if a manufacturer notifies NHTSA of its intention to file a petition for inconsequentiality as it relates to motor vehicle safety, and does not do so within the 30-day period described in 49 CFR Part 556.4(c), the manufacturer must submit the information described above and the estimated dates for the public notification and remedy campaign, no later than the end of the referenced 30-day period. [49 CFR Part 573.5(c)(8)(ii-iv)]

Notices and Communications

A manufacturer must submit a copy of its proposed owner notification letter, written in accordance with 49 CFR Part 577, "Defect and Noncompliance Notification," to the Office of Defects Investigation (ODI) no fewer than five (5) Federal government business days before it intends to begin mailing notification letters to owners. The letter can be submitted by any means which permits the manufacturer to verify promptly that the copy of the proposed letter was received by ODI. For efficacy, we recommend that the letter be submitted in draft by FAX to (202) 366-7882. The letter will be reviewed and the manufacturer notified immediately. [49 CFR Part 573.5(c)(10)]

A representative copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, dealer/retailer, or purchaser are to be furnished to NHTSA. The representative copies are to be submitted to ODI not later than 5 days after they are first sent to manufacturers, distributors, dealers/retailers, or purchasers. The representative copies of notifications or communications are to consist of all initial and/or subsequent communications actually sent by any means, including draft, intermediate, and final notifications or communications. The submissions should include printed copies (or transcripts) of all communications regardless of the media used to transmit the information. [49 CFR Part 573.5(c)(9)]

Please note that submission of documents pertaining to a safety recall are to be submitted separately and in reference to NHTSA's assigned safety recall number. This is in addition to the requirements of Part 573.8 which requires that all manufacturer communications with owners, dealers, and distributors be submitted to ODI on a monthly basis. [49 CFR Part 573.5(c)(9)]

Comments on the Defect/Noncompliance Information Report

In summary, a complete Defect/Noncompliance Information Report should provide sufficient information for ODI to assess whether the scope and application of the recall is appropriate, whether the problem possibly includes other vehicles or items of motor vehicle equipment, and the adequacy of the public notification and remedy campaign. If necessary, a follow-up inquiry will be initiated to obtain the information.

Note that a Defect/Noncompliance Information Report does not contemplate a prior investigative file with NHTSA. The recall file and the investigative file are two separate entities with different file retention systems and different NHTSA identification codes. The information provided and required for recalls which have been the subject of an agency investigation is the same information which must be provided for those recalls which do not have an investigative file.

Defect/Noncompliance Information Report Guide

To assist manufacturers with the development of Defect/Noncompliance Information Reports, the office has developed a series of Defect/Noncompliance Information Report Guides or forms which can be used either to report a defect or noncompliance, or as a guide in developing such a report.

The guides are available for vehicles, equipment, and tire recalls. Appendix B is a representative Defect/Noncompliance Information Report Guide which should be appropriate for your company based on our records.

How and to Whom [49 CFR Part 573.9]

All required reports should be submitted to:

Associate Administrator for Safety Assurance² (NSA-01)
National Highway Traffic Safety Administration
400 7th Street, SW
Washington, DC 20590

Whenever possible, the document should also be faxed to (202) 366-7882 to the attention of Mr. Jon White, Chief, Recall Analysis Division. Draft documents or items of concern can similarly be faxed in or discussed with Mr. White or Mrs. Pat Wallace at (202) 366-5227.

NHTSA Receipt and Acknowledgment

Upon receipt of the Defect/Noncompliance Information Report, ODI will assign a unique safety recall identification number to the recall. This information will be communicated to the manufacturer immediately by fax. Shortly thereafter, ODI will send a formal, written acknowledgment letter providing the identification number and additional information on the scheduling of the recall. If necessary, the letter will also request additional information or identify specific concerns ODI may have with the proposed recall.

Public Access to the Safety Recall Information

The recall is summarized and entered into the ODI data system which is accessible to the public through the DOT Auto Safety Hotline (DASH) 2 DOT (1-888-327-4236), the Technical Reference Division (800-445-0197), or through NHTSA's WEB site: (*www.NHTSA.DOT.GOV NHTSA*). NHTSA also issues a monthly news release which briefly summarizes the recalls that were filed during the preceding month. Manufacturers wishing consideration for an exemption or delay are

²The current Associate Administrator for Safety Assurance is Mr. Kenneth N. Weinstein

advised to request consideration in a separate letter accompanying the Defect or Noncompliance Report, describing the basis for the exemption or postponement.

Petitions for Inconsequentiality Determination [49 CFR Part 556]

A manufacturer that has determined that a safety defect or noncompliance with an Federal motor vehicle safety standard (FMVSS) exists in certain motor vehicles or items of equipment, and has filed a Defect/Noncompliance Information Report to NHTSA, has the option of petitioning the agency for a determination of inconsequentiality. The petition must be filed within 30-days from the date of the determination of a safety defect or noncompliance. A determination of inconsequentiality means that the defect or noncompliance is inconsequential as it relates to motor vehicle safety. Such a conclusion allows the manufacturer to be exempted from the statute's notification and remedy requirements for motor vehicles or items of motor vehicle equipment identified in the Defect/ Noncompliance Information Report. However, any additional production after the inclusive dates identified in that report, must be remedied or otherwise not contain the defect or noncompliance. Only rulemaking (such as provided in 49 CFR Part 552, "Petition for Rulemaking, Defect, and Noncompliance Orders") can change the requirements of a FMVSS.

Note that motor vehicles or items of motor vehicle equipment containing a safety defect or noncompliance cannot be sold while a manufacturer's petition for a determination that the defect or noncompliance is inconsequential with respect to motor vehicle safety is under consideration. [49 U.S.C. § 30112 and 30120]

II.

Recall Remedy

The remedy for the recall must involve both the inventory of recalled, but unsold vehicles or items of motor vehicle equipment, and the production of vehicles or items of motor vehicle equipment (if still produced). If the recall remedy provided for the product already distributed or sold is different than the production remedy, the production remedy should be described in the Defect/Noncompliance Information Report.

A manufacturer can remedy a defect or noncompliance by refunding, replacing, or repairing the product. Refunds are to be for the purchased price, less reasonable depreciation for use. Replacements are to be for a comparably valued product. When the product is remedied, the remedy must be timely and performed without charge. The performance and/or compliance of the remedy should be established prior to implementing the remedy campaign. If the remedy involves a repair or replacement, the manufacturer is expected to have established not only the suitability of the remedy when the repair is made, but also the durability of the remedy when the

vehicle or item of motor vehicle equipment is used. The manufacturer must ensure an effective parts supply so that the product can be remedied as soon as possible.

Since the underlying purpose of a safety recall is to minimize the safety risk, it is important to maximize the effectiveness and timeliness of the recall. Vehicles and items of motor vehicle equipment that are subject to a recall, but not as yet sold to consumers, should be removed from sale as quickly as possible. As specified in 49 U.S.C. § 30112, 30116, and 30120, the recalled product cannot be sold until remedied.

With respect to motor vehicle recalls, manufacturers should encourage their franchise dealers to ensure that the manufacturer's used vehicles have all applicable recall work completed before resale to the public.

It is suggested that for recalls in which the replacement or repair is critical, the manufacturer develop an easily visible marking/identification scheme for the repaired/replaced component or assembly. This will allow the manufacturer, dealer, purchaser, and owners to readily determine whether the recalled item has been replaced or repaired. Also, consideration should be given to packaging the corrected components/assemblies, as well as the remedial parts, distinctly to assist service personnel in ensuring that the correct parts are used.

Finally, many manufacturers use a self-adhesive label to attach to the vehicle, or item of motor vehicle equipment, to denote that the recall remedy work was completed. Generally each label is color coded and contains the manufacturer's recall code, the dealer code for the dealer completing the recall, the date the recall work was completed, and if possible, the manufacturer's toll-free telephone number.

ODI monitors the performance and effectiveness of all safety recalls and will take immediate action to correct any potential problems that arise during the conduct of the recall.

III.

Public Notification and Remedy Campaign

[49 U.S.C. § 30119; 49 CFR Part 577]

Defect and Noncompliance Notification to Purchasers

When a manufacturer has decided that a defect or a noncompliance exists in vehicles or items of motor vehicle equipment of its manufacture or import, the manufacturer is also required to notify owners, purchasers, and dealers. [49 U.S.C. § 30119]

The following minimal information must be provided: (1) a clear description of the defect; (2) an evaluation of the risk to motor vehicle safety; (3) a statement of the measures to be taken to obtain the remedy; (4) a statement that the defect/noncompliance will be remedied without

charge; (5) a statement of the earliest date on which the defect/noncompliance will be remedied; and (6) a description of the procedure to be followed by the recipient of the notification in informing NHTSA whenever a manufacturer, distributor, or dealer fails to or is unable to remedy without charge such defect or failure to comply.

Dealer Notice of Recall

Besides advising the dealer personnel of how to technically remedy the recall condition or to advise on the administrative reporting of the recall work, the dealer notice (most often a technical service bulletin) also should advise the dealer of its responsibilities in a safety recall. Dealers, retailers, distributors, and non-retail purchasers are prohibited from selling defective or noncomplying vehicles or items of motor vehicle equipment until the defect or noncompliance is remedied. A dealer can be fined up to a \$1,100 per vehicle for each violation. It is up to the recalling manufacturer to notify dealers, retailers, distributors, and purchasers. Appendix C provides sample language that, combined with a copy of the owner notification letter (written in accordance with Part 577), has been successful in conveying these responsibilities.

Owner notification is to be initiated within a reasonable amount of time after the manufacturer first determines the defect or noncompliance condition.

49 U.S.C. § 30119 describes the notification requirements to purchasers and dealers for motor vehicles, tires, and items of motor vehicle equipment. Note that for motor vehicles, notification is to be made to registered owners determined from state motor vehicle registration records, augmented with corporate records. Notifications to purchasers are by first class mail. Notifications to dealers and NHTSA are to be by certified mail. However, dealers may be notified by other more expeditious means. In accordance with Chapter 301 of Title 49 U.S.C., all safety recall campaigns are to be conducted throughout the United States, Guam, the Northern Mariana Islands, the Virgin Islands, American Samoa, and Puerto Rico.

The Notification Letter

Federal Regulation 49 CFR Part 577, entitled "Defect and Noncompliance Notification," specifically requires notification to purchasers, owners, and lessees where the manufacturer or the NHTSA Administrator has determined a defect or noncompliance exists in the manufacturer's vehicles or items of motor vehicle equipment. The intent of this notification requirement is to inform owners/purchasers of motor vehicles or items of motor vehicle equipment of a safety-related defect or noncompliance condition and its consequences and to describe the corrective action. The notification is also intended to "effectively motivate" the owner/purchasers/lessees to have their vehicle or item of motor vehicle equipment inspected and corrected as soon as possible.

The first sentence of the notification letter is prescribed by regulation and must be used verbatim. The language and form of the second sentence of the letter is specified also and is provided for both defect and noncompliance type notifications. The appropriate sentence must be selected and provided to owners and purchasers verbatim. [49 CFR Part 577.5(b) and (c)]

The manufacturer must describe to the owner/purchaser its program for remedying the defect/noncompliance condition and that the remedy will be provided without charge. The description of the program must include the earliest date when the remedy can be made (both instructions and parts availability) and a general description of the actual remedy. If the remedy involves repairing the vehicle or item of motor vehicle equipment, a description must be provided of the repair work and time required to perform the work. Where the remedy is to replace the vehicle or equipment item, a description of the replacement must be provided. If the remedy involves refunding the purchase price of the vehicle or equipment item less depreciation, a description of how the depreciation was assessed must be given. [49 CFR Part 577.5(g)(1)]

Owners/purchasers must be advised in the letter that a complaint can be submitted to the NHTSA Administrator if the manufacturer has failed or is unable to remedy the defect/noncompliance condition without charge or within a reasonable amount of time. [49 CFR Part 577.5(g)(1)(vii)]

The procedure for owners to notify NHTSA must clearly state that if an owner is unable to have the defect/noncompliance remedied without charge within a reasonable amount of time, the owner can notify:

Administrator
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

or call the toll-free DOT Auto Safety Hotline at 1-888-DASH-2-DOT (1-888-327-4236). [49 U.S.C. §30119]

Under certain conditions, a manufacturer is not required to provide remedy without charge, such as if the vehicle or equipment was first purchased more than 8 years before the recall. In such instances, the manufacturer must meet the requirements of 49 CFR Part 577.5(g)(2).

A manufacturer's notification letter cannot include any statement or implication that there is no defect or noncompliance condition or that the condition does not exist in the owner's vehicle or item of motor vehicle equipment. Also, with respect to a safety defect, the manufacturer cannot state or imply that the defect does not relate to motor vehicle safety. [Under 49 CFR Part 577.8]

Appendix C contains sample safety recall notification documents.

Leased Vehicles

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires that lessors have the responsibility of notifying lessees when a vehicle manufacturer makes a determination of a defect or noncompliance. Therefore, a vehicle manufacturer conducting a safety recall must notify lessors of their obligation to provide a copy of the owner notification letter to each vehicle

lessee. The lessor must notify the lessee by first class mail within ten (10) days from receipt of their owner notification letter from the manufacturer; both for initial notification and all subsequent notification. [49 CFR Part 577.5(I)]

Approval of Owner Notification Envelopes

The recalling manufacturer shall mark the outside of each envelope in which it sends an owner notification letter with a notation that includes the words "SAFETY," "RECALL," and "NOTICE" all in capital letters and in type that is larger than that used in the address section, and is also distinguishable from the other type in a manner other than size. Each manufacturer must submit the envelope format it intends to use to NHTSA at least 5 Federal government business days before mailing to owners. Once an envelope format has been approved by NHTSA, samples of the envelope do not have to be re-submitted (unless the manufacturer wishes to change the envelope format). [49 CFR Part 577.5(a)]

Contacting Unregistered Owners of Motor Vehicle Equipment

When a recall involves items of motor vehicle equipment, it has been found that notification to specific owners is extremely limited because the owners are not registered and are not otherwise known to the manufacturers. In these instances it appears that point-of-sale posters and other media comparable to the approaches and techniques used to originally market the item are appropriate. This procedure is similar to that employed by the Consumer Product Safety Commission, the Food and Drug Administration, and other agencies where owners are largely unknown. The information conveyed should be simple, short, and clear. The information should include: a declaration that the product manufactured or distributed by the manufacturer is involved in a safety campaign; a clear identification of the recalled product; a statement describing the consequences of the product failure, the remedy, and the procedure for obtaining the remedy; and the toll-free telephone numbers of the manufacturer and the Auto Safety Hotline. The consumer can then contact the manufacturer (or if necessary, NHTSA) for further information on the recall and how to obtain the remedy.

A number of manufacturers have adopted some form of poster. Included in Appendix C are sample posters and a general guideline for the development of such posters. Before any poster is printed or distributed, the poster should be provided to NHTSA in draft for comment first.

While a poster is generally developed for the point-of-sale, there are instances where distribution to places where owners are likely to be found, such as doctor's offices for child seats, may be appropriate as well.

Public Notification: Press Releases and Other Media

In preparing for the safety recall, the manufacturer should consider issuing a press release describing the nature and consequences of the defect or noncompliance, the scope of the problem

and vehicles involved, and the remedy. A press release is strongly encouraged whenever a number of consumers may benefit. The press release should be appropriate to the market and/or demographics of the consumers. There are instances where a specific media market is appropriate rather than a national news release. A press release is particularly appropriate whenever the public would benefit from the information, such as when a remedy will not be available for some time, but in the interim there are steps an owner can take to avoid the likelihood of the defect/noncompliance from occurring or to alleviate the consequences. Similarly, a press release is important in reaching owners of vehicles and items of motor vehicle equipment which may not be registered or otherwise known to the manufacturer.

Recalled Vehicles and Equipment in Inventory [49 U.S.C. § 30116]

It is important that manufacturers notify distributors, dealers, retailers, and other purchasers of the recall as soon as possible to ensure that the product is not sold prior to remedy. The manufacturer or distributor is obliged to offer to repurchase any item of motor vehicle equipment in the inventory of the manufacturer, distributor, dealer, or retailer which contains a safety defect or noncompliance prior to sale to the public. The manufacturer or distributor is obliged to repurchase or repair any motor vehicle in the inventory of distributor, dealer, or another manufacturer which contains a safety defect or noncompliance prior to sale to the public. The sale of any motor vehicle or item of motor vehicle equipment which fails to conform to all applicable Federal motor vehicle safety standards is prohibited. A dealer is prohibited from selling to the public any new motor vehicle or item of motor vehicle equipment which might contain a safety-related defect, until the defect is remedied. There is a civil penalty of up to \$1,100 per violation, not to exceed \$925,000, for any related series of violations that can be imposed. [49 U.S.C. § 30112, 30120, and 30165 and Part 578]

IV.

Recall Monitoring and Performance

Quarterly Status Reports [49 CFR Part 573.6]

A quarterly status report is required to be submitted on each safety recall campaign beginning with the calendar quarter in which owner notification begins. The quarterly status report is required to be submitted on the 30th day of the month following the end of each calendar quarter (i.e., April 30th, July 30th, October 30th, and January 30th).

Quarterly status reports will be required from the quarter the notification begins through 6 consecutive quarters after all owners are notified. As a matter of policy, recalls in which owner notifications begin within the last 15 calendar days of the end of the third month of each quarter, will be requested to provide an additional quarterly report.

Pre-delivery type recalls in which none of the recalled vehicles or items of motor vehicle equipment have been sold to retail owners, will require at least one report. If any of the recalled items are sold to a retail customer prior to completion of the recall work, a purchaser/owner notification and remedy campaign will be necessary, as well as additional quarterly reports.

Owner notification is generally expected to occur within 30 days of a determination of a defect or from the date a remedy is developed. Notification is expected to be conducted uniformly and nationally. If for some reason a public notification campaign is not conducted uniformly or nationally, the manufacturer must inform the agency when describing the remedy program. [49 CFR Part 573.5(c)(8)(ii)]

Draft quarterly reports or items of concern can be faxed to (202) 366-7882 or discussed with Mr. Jon White or Ms. Kelly Schuler at (202) 366-5227.

Quarterly Status Report Guide

Appendix D is a Quarterly Report Guide which summarizes the information required in Part 573.6, "Quarterly Reports." In addition to providing the agency's assigned recall campaign code, it is requested that manufacturers provide their company's recall campaign code (if applicable) which corresponds to NHTSA recall code. There is no obligation to follow the Guide, however, the Quarterly Report Guide outlines information that this office will review for evaluation of the recall performance.

Manufacturers of motor vehicle equipment, including tires, are required to report on the number of recalled items returned or retrieved from inventory for corrective action prior to sale. [49 CFR Part 573.6(b)(6)]

The number of vehicles or items of motor vehicle equipment determined to be unreachable for the campaign are to be reported according to the following categories: exported, stolen, scrapped, did not receive notification, or other identified reason. [49 CFR Part 573.6(b)(5)]

Toll-Free Telephone Numbers

The agency believes that a toll-free number for consumers to call to identify themselves to the manufacturer as owners of the recalled product and to receive aid in attaining the recall remedy is invaluable to the success of a safety recall, particularly recalls involving unregistered owners. The toll-free number can be provided to owners and purchasers through press releases and other media.

Recordkeeping and Maintenance [49 CFR Part 573.7]

Each manufacturer must maintain a list of the names and addresses of owners of the items involved in the recall. The list is to include the vehicle identification number (or tire

identification number or equipment serial number, as appropriate) and the recall status for each vehicle (or tire or item of motor vehicle equipment, as appropriate). For vehicles and items of motor vehicle equipment, the list must be maintained for 5 years after owners are notified. For tires, the list must be maintained for 3 years.

For items of motor vehicle equipment which are not uniquely identified by serial number or similar coding, the purchaser (distributors, dealer/retailers, and other purchasers) list must include the number of items sold to each purchaser and the date of shipment. The list shall show, as far as is practical, the number of items remedied or returned to the manufacturer and the dates of such remedy or return.

NHTSA Monitoring and Audits

A manufacturer is responsible for the remedy of the defect or noncompliance regardless of mileage, ownership, or age of the recalled product. The agency closely monitors the performance and effectiveness of each safety recall. Consumer complaints, as well as review of the quarterly status reports, are used to assess recalls. Unresolved problems are investigated for identification and resolution.

A manufacturer may be requested to renotify owners of motor vehicles or items of equipment that have not been reported as having the recall work performed. The scope, timing, form, and content of such follow-up notification will be established by NHTSA, in consultation with the manufacturer, to maximize the number of owners, purchasers, and lessees who will present their vehicles or items of equipment for remedy. A renotification letter will comply with all the requirements of the initial notification, except as determined by NHTSA. Language which will motivate owners and purchasers to present their vehicles or items of equipment for remedy is strongly encouraged. NHTSA may authorize the use of other media, besides first class mail, for follow-up notification. [49 CFR Part 577.10]

Should a recall remedy or notification appear to be unreasonable or inadequate, the agency can conduct a public hearing to investigate whether the manufacturer has reasonably met its obligation to notify (49 U.S.C. § 30118 and 49 CFR Part 577) and to provide a remedy (49 U.S.C. § 30120).

NHTSA audits a number of recalls each year to verify the reported performance and recall process of each recall. An audit will typically involve an information request to the manufacturer for specific information on the recall, as well as to request owner names and addresses and the reported recall remedy status of each item involved in the recall. A follow-up survey of owners, and possibly dealers, will generally complete the audit.

NHTSA Consumer Complaints

The agency provides a copy of all consumer complaints on a recall to the recalling manufacturer. Unresolved problems or potential trends will likely result in an ODI inquiry. Also, owners are typically advised of their ability to petition the agency if they believe the manufacturer has not met the requirements of Chapter 301 of Title 49 U.S.C. with respect to notification or remedy. It is to everyone's advantage to resolve problems early and quickly.

V. Conclusion

Over 7,000 safety recalls involving millions of motor vehicles and items of motor vehicle equipment have occurred since the enactment of the National Traffic and Motor Vehicle Safety Act. Hence, ODI believes that the concept of a safety recall is well established in the consumer's mind. A safety recall need not be regarded as a negative factor. How quickly and comprehensive a safety recall is conducted can have a strong influence on the consumer's sense of security, satisfaction, and attitude about the manufacturer and the recalled product. There is evidence to show that a successful safety recall program and a successful company, from the customer's viewpoint, are not inseparable.

APPENDIX A. - DEFINITIONS

Motor vehicles, for purposes of safety recalls are defined within the Act and various sections of 49 Code of Federal Regulations, as any vehicle which is operable, with or without motive power, on the Nation's public roadways. This would include cars, trucks, motorcycles, trailers, and vehicles built in more than one stage.

49 CFR: Title 49 of the Code of Federal Regulations.

49 U.S.C.: Title 49 of the United States Code.

Act: The National Traffic and Motor Vehicle Safety Act of 1966, as amended.

Dealer: any person who is engaged in the sale and distribution of new motor vehicles or items of motor vehicle equipment primarily to purchasers who in good faith purchase any such vehicles or item of equipment for purposes other than resale.

Defect: any defect in performance , construction, components, or materials in motor vehicles or items of motor vehicles.

Distributor: any person who is engaged in the sale and distribution of motor vehicles or items of motor vehicle equipment for resale.

FMVSS: Federal Motor vehicle Safety Standard.

Manufacturer: any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or items of motor vehicle equipment for resale.

Motor Vehicle: any vehicle driven or drawn by mechanical power and manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails.

Motor Vehicle Equipment: any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as any accessory or addition to the motor vehicle, and any device, article, or apparel not a system, part, or component of a motor vehicle (other than medicines, or eyeglasses prescribed by a physician or other duly licensed practitioner), which is manufactured or sold, delivered, offered, or intended for use exclusively to safeguard motor vehicles, drivers, passengers, and other highway users from risks of accidents, injury, or death.

Motor Vehicle Safety: the performance of motor vehicles or items of motor vehicle equipment in such a manner that the public is protected against unreasonable risk of accidents occurring as a result of the design, construction, or performance of motor vehicles and is also protected against unreasonable risk of death or injury to persons in the event accidents do not occur, and includes nonoperational safety of such vehicles.

Original Equipment: [Section 159 of the Act] an item of motor vehicle equipment (including a tire) which was installed in or on a motor vehicle at the time of its delivery to the first purchaser.

Original Equipment Responsibility: [Section 159 of the Act] a defect in, or failure to comply of, an item of original equipment shall be deemed to be a defect, or failure to comply of, the motor vehicle in or on which such equipment was installed at the time of its delivery to the first purchaser. If the manufacturer of a motor vehicle is not the manufacturer of original equipment installed in or on such vehicle at the time of its delivery to the first purchaser, the manufacturer of the vehicle (rather than the manufacturer of such equipment) shall be considered the manufacturer of such item of equipment. The term first purchaser means first purchaser for purposes other than resale.

Replacement Equipment: [Section 159 of the Act] an item of motor vehicle equipment (including a tire) other than original equipment.

United States: includes the United States and its protectorates to which the Act applies, which includes all 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and America Samoa.

**APPENDIX B. - DEFECT/NONCOMPLIANCE NOTIFICATION REPORT
GUIDES**

A. VEHICLE REPORT GUIDE

B. EQUIPMENT REPORT GUIDE

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Report³

On _____, 199____, _____ [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. _____) exists in the motor vehicles listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: _____

Furnish the manufacturer's identification code for this recall (if applicable): _____

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled. If the recalled vehicle is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Telephone Number: _____ Fax No.: _____

Name and Title of Person who prepared this report.

Signed: _____

³Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5227 or by FAX at (202) 366-7882.

I. Identify the Vehicle Models Involved in the Recall

2. Identify the Vehicles Involved in the Recall, for each make and model or applicable vehicle line (provide illustrations or photographs as necessary to describe the vehicle), provide:

Make(s): _____ Model Years Involved: _____ Model(s): _____

Production Dates: Beginning: _____ Ending: _____

VIN Range: Beginning: _____ Ending: _____

Vehicle Type: _____ Bodystyle: _____

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Make(s): _____ Model Years Involved: _____ Model(s): _____

Production Dates: Beginning: _____ Ending: _____

VIN Range: Beginning: _____ Ending: _____

Vehicle Type: _____ Bodystyle: _____

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Make(s): _____ Model Years Involved: _____ Model(s): _____

Production Dates: Beginning: _____ Ending: _____

VIN Range: Beginning: _____ Ending: _____

Vehicle Type: _____ Bodystyle: _____

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period. _____

II. Identify the Recall Population

3. Furnish the total number of vehicles recalled potentially containing the defect or noncompliance.

<u>Vehicles</u>		Number of
<u>Model</u>	Year	<u>Potentially</u>
<u>Involved</u>		

Total Number Potentially Affected by the Recall: _____

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: _____

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled vehicles:

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

Describe the cause(s) of the defect or noncompliance condition.

Describe the consequence(s) of the defect or noncompliance condition.

Identify any warning which can (a) precede or (b) occur.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

VII. Furnish Recall Communications

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Note that these documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.

Safety Defect and Noncompliance Report Guide for Equipment
PART 573 Defect and Noncompliance Report⁴

On _____, 199____, _____ [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. _____) exists in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: _____

Furnish the manufacturer's identification code for this recall (if applicable): _____

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Telephone Number: _____ Fax No.: _____

Name and Title of Person who prepared this report.

Signed: _____

⁴Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, *for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment)*, provide:

Generic name of the item: _____

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Model Years Involved: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period.

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

<u>Items</u>		<u>Number of</u>
<u>Model</u>	<u>Year</u>	<u>Potentially</u>
<u>Involved</u>		

Total Number Potentially Affected by the Recall: _____

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance: _____

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment: _____

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

Describe the cause(s) of the defect or noncompliance condition.

Describe the consequence(s) of the defect or noncompliance condition.

Identify any warning which can (a) precede or (b) occur.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

VII. Furnish Recall Communications

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.

APPENDIX C. - SAMPLE NOTIFICATION DOCUMENTS

The following documents are samples or models paraphrased from reports developed by manufacturers in conducting safety recalls. The samples are from safety defect vehicle recalls. Safety defect equipment and tire recalls are similar. The language describing a noncompliance with a Federal motor vehicle safety standard is different for noncompliance recalls as prescribed in Part 577, however, the majority of the letter is the same as for a safety defect.

There are two models of owner notification letters and two of the safety service bulletins.

To meet the notification requirements of Title 301 of 49 U.S.C., dealers should be provided a copy of the owner notification letter.

SAMPLE VEHICLE DEFECT OWNER NOTIFICATION LETTER

Dear [MFR model vehicle] Owner :

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

REASON FOR THIS RECALL

[MFR] has determined that a defect which relates to motor vehicle safety exists in certain [model year model vehicles equipped with _____]. These vehicles have [description of the safety defect condition]. [Description of the safety-related consequences].

WHAT WE WILL DO

Briefly describe the remedial work which will be done to the consumer's vehicle. Advise the owner that the service will be done without charge.

WHAT YOU SHOULD DO

Please contact your [MFR] dealer as soon as possible to arrange a service date and so the dealer may order the necessary parts for the repair. Instructions for making this correction have been sent to your dealer and the parts are available. The labor time necessary to perform this service correction is approximately [XX minutes, hours, etc.]. Please ask your dealer if you wish to know how much additional time will be needed to schedule and process your vehicle.

Your [MFR] dealer is best equipped to obtain parts and provide service to ensure that your vehicle is corrected as promptly as possible. If, however, you take your vehicle to your dealer on the agreed service date, and they do not remedy this condition on that date or within three (3) days, we recommend you contact the [MFR] customer service by calling 1-800-[tool-free number].

After contacting your dealer and the [MFR customer service], if you are still not able to have the safety defect remedied without charge and within a reasonable time, you may wish to write the Administer, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590 or call 1-888-DASH-2-DOT (1-888-327-4236). (Washington DC residents use 1-202-366-0123).

The enclosed owner reply card identifies your vehicle. Presentation of this card to your dealer will assist in making the necessary correction in the shortest possible time. If you have sold or traded your vehicle, please let us know by completing the postage paid reply card and returning it to us.

We are sorry to cause this inconvenience; however, we have taken this action in the interest of your safety and continued satisfaction with our products.

SAFETY RECALL - [SAFETY DEFECT SUBJECT]

Dear [MFR] Vehicle Owner:

This notice is sent to you in accordance with the requirements of the National Highway Traffic and Motor Vehicle Safety Act.

[MFR] has determined that a defect which relates to motor vehicle safety exists in certain [model year and model vehicles equipped with ZZZ and manufacturer from August 1991 to September 1991]. [Describe the applicable safety defect and risk to motor vehicle safety].

Your vehicle, identified on the enclosed form, is affected. For this reason we ask that you arrange for service to correct the condition without delay. The service and required parts as described in this letter will be provided free of charge.

To correct this condition, your dealer will [briefly describe the recall remedy to your consumer].

The work will take about [xx] hours to complete. However, additional time may be required depending on how dealer appointments are scheduled and processed. To obtain this free service:

Contact your dealer as soon as possible to schedule an appointment for the free service.

Take the enclosed Owner Notification Form with you at the time of your appointment and give it to your dealer. The form identifies the vehicle and the service that is required.

If you have any problem obtaining the needed repair, please contact the [MFR] customer service at 1-800-toll-free telephone number. A [MFR] representative will arrange for prompt attention to your vehicle.

We regret any inconvenience which this action may cause you. However, we are concerned about your safety. If your dealer fails or is unable to remedy this defect without charge and within a reasonable time, you may submit a written complaint to the Administrator, National Highway Traffic Safety Administration, 400 Seventh

**Street, SW, Washington, DC 20590, or call 1-888-DASH-2-DOT (1-888-327-4236).
(Washington DC residents use 1-202-366-0123).**

Thank you for attention to this important matter.

[CUSTOMER SERVICE MFR]

SAMPLE VEHICLE SAFETY DEFECT SERVICE BULLETIN

TO: All [MFR] Dealers

The National Traffic and Motor Vehicle Safety Act, as amended, provides that each vehicle which is subject to a recall campaign of this type must be adequately repaired within a reasonable time after the owner has tendered it for repair. Failure to repair within sixty (60) days after tender of a vehicle is prima facie evidence of failure to repair within a reasonable time.

If the condition is not adequately repaired within a reasonable time, the owner may be entitled to an identical or reasonable equivalent vehicle at no charge or to a refund of the purchase price less a reasonable allowance for depreciation.

To avoid having to provide these burdensome solutions, every effort must be made to promptly schedule an appointment with each owner and to repair their vehicle as soon as possible. As you will see in reading the attached copy of the letter that is being sent to owners, the owners are being instructed to contact the [MFR] customer service if their dealer does not remedy the condition within three (3) days of the mutually agreed upon service date. If the condition is not remedied within a reasonable time, they are instructed on how to contact the National Highway Traffic Safety Administration.

DEFECT INVOLVED

[MFR] has determined that a defect which relates to motor vehicle safety exists in certain [model year model vehicles equipped with _____]. These vehicles have [description of the safety defect condition]. [Description of the safety-related consequences].

Briefly describe the remedial work which will be done to the consumer's vehicle. Advise the owner that the service will be done without charge.

VEHICLES INVOLVED

Involved are certain [model vehicles equipped with _____] built within the following VIN breakpoints:

Involved vehicles have been identified by Vehicle Identification Number Computer Listings. Computer listings contain the complete Vehicle Identification Number, owner name and address data, and are furnished to involved dealers with the campaign bulletin. Owner name and address data furnished will enable dealers to follow-up with owners involved in this campaign.

These listings may contain owner names and addresses obtained from State Motor Vehicle Registration Records.

SAFETY VEHICLE SAFETY DEFECT SERVICE BULLETIN

IMPORTANT

DEALER SERVICE INSTRUCTIONS

Safety Recall #98V-000 – [Safety Recall Subject]

- ▶ **This service requirement applies only to [MFR model year and model vehicles] built from [start date of recall production manufacture] to [end date of recall production manufacture] at the ABC assembly plant.**
- ▶ **Dealers were notified via an electronic mail message on this subject dated [Notice date].**
- ▶ **Recall Parts Packages may include [describe contents of the recall remedy kit as appropriate].**

GENERAL NOTIFICATION INFORMATION:

- ▶ **Describe general information for dealers such as what their responsibilities are and any preparations necessary for the safety recall.**

98V-000

[Bulletin Date]

To: All [MFR] Dealers

Subject: Safety Recall 98V-000 – [Safety Recall Subject]

Models: [Description of the model year and model vehicles involved in the recall, including the start and ending dates of manufacture].

Reference: Electronic mail message on this subject on [Notice Date]

[Describe the subject safety defect and the consequences to vehicle operation and motor vehicle safety].

[Briefly describe the corrective action the dealer is to take to remedy the safety defect].

Important: Some of the involved vehicles may still be in dealer inventory. Federal law requires you to complete the recall service on these vehicles before retail delivery.

Details of this service are explained in the following sections.

Service Procedure Videotape

[Describe the videotape if applicable].

Dealer Notification & Vehicle List

Involved dealers: each dealer to whom involved vehicles were invoiced (or the current dealer at the same street address) will receive a copy of this Dealer Recall Notification letter and a list of the involved vehicles by Certified Mail.

Important: Dealer notification by Certified Mail is required by Federal law for all safety recalls. Responsible dealership personnel should be instructed to sign for this Certified mail without hesitation as it contains urgent safety recall information.

The Vehicle List is arranged in Vehicle Identification Number sequence. Owners known to [MFR] are also listed. The lists are for dealer reference in arranging for service of involved vehicles.

**Safety Recall #98V-000 – Safety Recall Subject
[Bulletin Date]**

Completion Reporting and Reimbursement

Claims for vehicles which have been serviced must be submitted. Claims submitted will be used by [MFR] to record recall service completions and provide dealer payments.

Use one of the following labor operation numbers and time allowances:

Labor Operation Number	Time Allowance
-----------------------------------	---------------------------

Add the cost of the recall parts package plus applicable dealer allowance to your claim.

Note: See [MFR] Warranty/Recall policy and procedure manual for complete recall claim processing instructions.

Parts Return: replaced parts are to be returned to [MFR]

Vehicle Not Available

If a vehicle is not available for service for a known reason, let us know by filling out the pre-addressed Vehicle Disposition Form portion of the Owner Notification Form or describe the reason on a postcard and mail to:

**[MFR]
[Address]**

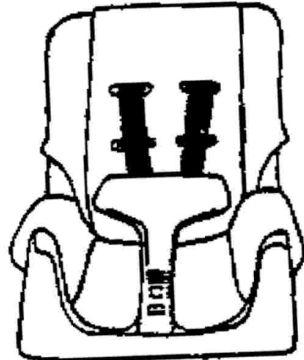
Following the above procedures will expedite the processing of your claim.

If you have any questions or need assistance in completing this action, please contact your Zone Service Office.

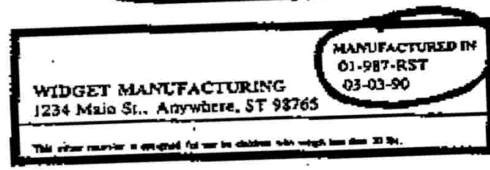
**Customer Services Field Operations
MFR**

**WIDGET MANUFACTURING
CHILD SEAT SAFETY CAMPAIGN**

**MODEL 01-987-RST BABY-SITTER
INFANT CHILD SEAT**



*Widget is recalling its
Baby-Sitter infant child
restraints manufactured
between February 1,
1988 and July 15, 1993.
The blue and pink fabric
cover burns faster than
permitted by Federal
Motor Vehicle Safety
Standard 345.*



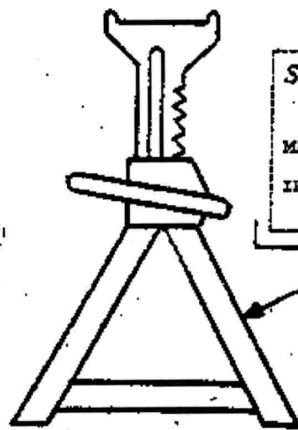
The date of the manufacture is stamped on the installation label as shown in the diagram. Dates appear as a series of six numbers. For example: March 3, 1990 would appear as 03-03-90. If you own one of the seats manufactured during this period, please call Widget for free replacement parts and instructions.

The only affected seats are of the same model type as listed above and that were manufactured during the specified period.

CALL: 1-800-221-6736
MONDAY THRU FRIDAY, 8:30 AM TO 5:00 PM, EST

IRON WORKS INC. STAND-ALONE JACKS

SAFETY RECALL!!



STAND-ALONE JACKS

WARNING

MAX CAPACITY 3 TONS

IRON WORKS INC.

987654D

**AFFECTED SERIAL NUMBERS
987654D - 987854D**

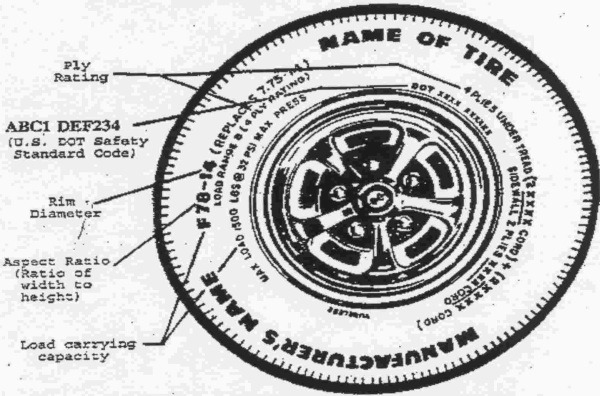
These jacks were labeled with the wrong maximum load capacity. If you own one of the affected jacks, please take it back to a retailer for the correct load specification. If you have any questions, please contact Iron Works Inc. at:

1-800-555-LIFT

MONDAY THRU SATURDAY 7:00AM TO 6:00PM, EST.

ABCD TIRE AND RUBBER COMPANY

TIRE SAFETY RECALL!
Name of Tire - F78-14



****ONLY TIRES WITH U.S. DOT SAFETY STANDARD CODES ENDING WITH 234 ARE INVOLVED IN THIS RECALL.****

The overcured condition of these tires can result in tread separation, and continued use may cause a sudden loss of air which can result in a sudden loss of steering control with the potential for a vehicle accident. ABCD will replace the defective tires, and mount and balance new tires at no charge.

**PLEASE CONTACT ABCD AT OUR HOTLINE NUMBER:
1-800-BAD-TIRE**

APPENDIX D. - QUARTERLY REPORT GUIDES

A. Vehicle safety Recall Quarterly Report Information

B. Equipment Safety Recall Quarterly Report Information

Vehicle Safety Recall Quarterly Report Information⁵

Required per 49 CFR Part 573.6

Report Date: _____ Calendar Quarter: _____

Safety Recall Quarterly Report from _____ through _____

Manufacturer: _____

Report Author: _____ Phone: (____) _____

Recall Subject: _____

1. NHTSA Safety Recall Campaign Number: _____

Also, for completeness, if your company has assigned a code number to this campaign, please provide your code: _____

2. (a) The date notification to purchasers began: _____

(b) The date notification of purchasers was completed: _____

3. The Total Number of Vehicles Involved: _____

The total number of vehicles involved in the subject campaign (including all items sold or distributed to purchasers, dealers, distributors, and similar entities beyond the immediate control of the manufacturer/importer).

4. (a) Total Number Inspected & Remedied: _____

Total number of vehicles which were inspected and/or otherwise repaired or remedied.

(b) Total Number Inspected & NOT REQUIRING REMEDY: _____

Total number of vehicles involved in the recall and inspected, but determined to NOT REQUIRE REMEDIAL or recall repair work.

5. Vehicles Determined to be Unreachable

Total Number Exported: _____

Total Number Stolen: _____

Total Number Scrapped: _____

Total Number Unable to Notify: _____

Total Number Otherwise Unreachable: _____

Describe Other: _____

⁵Any Questions please contact Mrs. Kelly Schuler or Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

Equipment Safety Recall Quarterly Report Information⁶

Required per 49 CFR Part 573.6

Report Date: _____

Calendar Quarter: _____

Safety Recall Quarterly Report from _____ through _____

Manufacturer: _____

Report Author: _____ Phone: (____) _____

Recall Subject: _____

1. NHTSA Safety Recall Campaign Number: _____

Also, for completeness, if your company has assigned a code number to this campaign, please provide your code: _____

2. (a) The date notification to purchasers began: _____

(b) The date notification of purchasers was completed: _____

3. The Total Number of Items of Equipment Involved: _____

The total number of items involved in the subject campaign (including all items sold or distributed to purchasers, dealers, distributors, and similar entities beyond the immediate control of the manufacturer/importer).

Number of Items Returned from Inventory or Remedied Prior to Sale: _____

Includes (a) the total number of items returned from Manufacturer, Distributor, Dealer or Retailer inventory or (b) otherwise remedied prior to sale to consumers.

4. (a) Total Number Inspected & Remedied: _____

Total number of items which were inspected and/or otherwise repaired or remedied.

(b) Total Number Inspected & NOT REQUIRING REMEDY: _____

Total number of items involved in the recall and inspected, but determined to NOT REQUIRE REMEDIAL or recall repair work.

5. Items Determined to be Unreachable

Total Number Exported: _____

Total Number Stolen: _____

Total Number Scrapped: _____

Total Number Unable to Notify: _____

Total Number Otherwise Unreachable: _____

Describe Other: _____

⁶Any questions please contact Mrs. Kelly Schuler or Mr. Jon White at (202) 366-5227 or by FAX at (202) 366-7882.

**APPENDIX E. - CROSS-REFERENCE
BETWEEN THE
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
AND
CHAPTER 301 OF 49 U.S.C.**

Cross References

National Traffic and Motor Vehicle Safety Act	Chapter 301 of 49 United States Code
Section 102 (1) - (2)	Section 30102
Section 102 (13)	Section 30111
Section 102 (14), (15)	Section 30125
Section 103 (a) - (c)	Section 30111
Section 103 (d)	Section 30103
Section 103 (e), (f)	Section 30111
Section 103 (g)	Section 30103
Section 103 (h)	
Section 103 (I)(1), (2)	Section 30125
Section 103 (I)(3)	
Section 103 (j)	Section 30111
Section 103 (notes)	Section 30104, 30127, 32102
Section 108 (a)(1)(A)	Section 30112
Section 108 (a)(1)(B) (related to Section 112 (a) - (c))	Section 30166
Section 108 (a)(1)(B) (related to Section 112 (d))	Section 30117
Section 108 (a)(1)(B) (related to Section 112 (e))	Section 30167
Section 108 (a)(1)(C)	Section 30115
Section 108 (a)(1)(D) (related to Section 151, 152)	Section 30118
Section 108 (a)(1)(D) (related to Section 153 (a) - (c)) (1st sentence cls. (1) - (5))	Section 30119
Section 108 (a)(1)(D) (related to Section 153 (c)) (1st sentence cls. (6))	Section 30118
Section 108 (a)(1)(D) (related to Section 153 (c)) (last sentence)	Section 30119
Section 108 (a)(1)(D) (related to sentence 154 (a), (b)(1), (2)) (1st sentence)	Section 30120

Section 108 (a)(1)(D) (related to Section 154 (b)(2)) (2d, last sentences)	Section 30119
Section 108 (a)(1)(D) (related to Section 154 (c))	Section 30120

Cross-References

National Traffic and Motor Vehicle Safety Act	Chapter 301 of 49 United States Code
Section 109	Section 30165
Section 110 (a) - (c)	Section 30163
Section 110 (d) (related to Section 109)	Section 30165
Section 110 (e)	Section 30164
Section 111	Section 30116
Section 112 (a)-(c)	Section 30166
Section 112 (d)	Section 30117
Section (e), Section 113	Section 30167
Section 114	Section 30115
Section 151, Section 152	Section 30118
Section 153 (a)-(c) (1st sentence cls. (1)-(5))	Section 30119
Section 153 (c) (1st sentence cls. (6))	Section 30118
Section 153 (c) (last sentence), (d), (e)	Section 30119
Section 154 (a), (b)(1), (2) (1st sentence)	Section 30120
Section 154 (b)(2) (2d, last sentence)	Section 30119
Section 154 (c), (d)	Section 30120
Section 155	Section 30121
Section 156 (related to notice)	Section 30118
Section 156 (related to remedy)	Section 30120
Section 157 (related to notice)	Section 30118
Section 157 (related to remedy)	Section 30120
Section 158 (a)(1)	Section 30166
Section 158 (a)(2)	Section 30167
Section 158 (b)	Section 30117
Section 159	Section 30102

PART 573 QUARTERLY STATUS REPORT
 Recalls announced between 090197 to 120197

Best RI George Washington April 13, 1998
 (RI Name) (Prepared by) (Date Submitted)

Report Period Ending	Recall Number	Vehicles identified	Vehicles not involved	Vehicles already corrected	Owners to notify	Not Reachable	Owners Notified	Recalls Completed	100% Comp Date
3/98	98V001-000	104	2	50	52	2	48	55	55/102=54
6/98									
9/98									
12/98									
3/99									
6/99									
3/98	98v002-000	300	0	100	200	1	199	125	125/300=42
6/98									
9/98									
12/98									
3/99									
6/99									

Vehicles not reachable or out of range
 Recall Number

Recall Number	VIN	Reason
98V001000	000000000000000000	Exported
	111111111111111111	Stolen
	2222222222222222	Not subject to recall – out of range
	3333333333333333	Not subject to recall – out of range

Terms used in table:

Vehicles identified – List of vehicles sent to RI by OVSC

Vehicles not involved – Some vehicles on the OVSC list may be out of range of the manufacturer's recall
 “*” on OVSC list indicates vehicle may not be subject to recall

Vehicles already corrected – Vehicles corrected at or by time of importation

Unreachable – Vehicles exported, stolen, etc.

**FACILITY LOCATIONS AND CONTACTS
SAMPLE**

APPLICANT/RI NAME: New Applicant_____

NAME OF BUSINESS: Smith Imports_____

OWNER/PRESIDENT: Mr. Jack Smith_____

MAILING ADDRESS: 1955 Apple Towers, Suite 56_____

New York, NY 44888_____

(DATE FIRST USED) 10-12-95_____

CONTACT/PHONE/FAX #: Mr. Jack Smith/Phone: 212-676-3300/FAX: 676-3344

OFFICE & RECORD Same as above_____

ADDRESS: _____

(DATE FIRST USED) 10-12-95_____

CONTACT/PHONE/FAX #: **E-mail:** smithimports@aol.com _____

GARAGE ADDRESS: 1177 Market Street _____

New York, NY 44888 _____

(DATE FIRST USED) 11-25-95 _____

CONTACT/PHONE/FAX #: Mr. Joe Kelly/Phone: 212-676-3222/FAX: 676-3001

VEHICLE STORAGE Same as Garage_____

ADDRESS: _____

(DATE FIRST USED) 11-25-95_____

CONTACT/PHONE/FAX #: _____

CITIZENSHIP/OWNERS USA -Mr. Jack Smith, President 50%_____

Canadian- Mr. Harvey Jones, Partner 50%_____

AGENT'S/NAME/ Not required the President is a U.S. citizen _____

ADDRESS: _____

OTHER PEOPLE & TITLES AUTHORIZED TO SIGN FOR COMPANY:

Only President is authorized to sign for company _____

**YEARLY MAINTENANCE INFORMATION LETTER
SAMPLE**



Smith Imports, Inc., 1177 Market St., New York, NY 44888
212-676-3344-FAX 676-3300
E-mail: smithimports@aol.com

September 17, 1996

Administrator
National Highway Traffic Safety Administration
400 Seventh St. SW
NSA-32 (Room 6120a)
Washington, D.C. 20590

Re: YEARLY STATEMENT OF REGISTERED IMPORTER

Dear Sir/Madame:

This is to confirm that the information required by 49 CFR Part 592.5 under paragraphs (a)(4), (a)(5), (a)(6), (a)(9), and (a)(11) for our corporation remains correct, and that includes a current copy of our insurance policy with signatures notarized per paragraph (a)(8) of this section. Our updated broker and address information is enclosed with our check for \$350 for FY 1999.

You were reminded that our telephone number changed on June 1, 1996. Notification of the change was made within the 30-day time limit allowed by Part 592.5(f). Our addresses for the office, shop and vehicle storage remain the same. Please call if you have questions or need additional information on 212-676-3344.

Sincerely,

Mr. Jack Smith, President
Smith Imports, Inc.

Dated

Notary
(Rev 03-12-97)

Dated

Enclosures: ___ Check or credit card charge application
___ 49 CFR proof of purchase
___ Recall Service Insurance Policy
___ Changes to information on file

NEWSLETTERS

**REGISTERED IMPORTER
NEWSLETTERS**