

# USA

## Importing or Exporting a Car

Guidelines for permanent and temporary purposes

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## IMPORTING A CAR

### WARNING

Imported motor vehicles are subject to safety standards under the Motor Vehicle Safety Act of 1966, revised under the Imported Vehicle Safety Compliance Act of 1988; to bumper standards under the Motor Vehicle Information and Cost Savings Act of 1972, which became effective in 1978; and to air pollution control standards under the Clean Air Act of 1968, as amended in 1977, and 1990.

If vehicles manufactured abroad conform to U.S. safety, bumper, and emission standards, it is because these vehicles are exported for sale in the United States. Therefore, it is unlikely that a vehicle obtained abroad meets all relevant standards. Be skeptical of claims by a foreign dealer or other seller

that a vehicle meets these standards or can readily be brought into compliance. Vehicles entering the United States that do not conform to U.S. safety standards must be brought into compliance, exported, or destroyed.

This pamphlet provides essential information for U.S. residents, military or civilian government employees, and foreign nationals who are importing a vehicle into the U.S. It includes U.S. Customs requirements and those of other agencies whose regulations we enforce. Since Environmental Protection Agency (EPA) and Department of Transportation (DOT) requirements are subject to change, we recommend that you contact these agencies before buying a vehicle abroad. Their addresses are on pages xxx.

Our leaflets *Know before You Go* (Customs Hints for Returning U.S. Residents) and *Customs Hints for Visitors Visiting the United States* (Customs Regulations for Nonresidents) contain general information for persons entering the U.S. You may obtain copies from your nearest Customs office or by writing to U.S. Customs, P.O. Box 7407, Washington, D.C. 20044; or from American embassies and consulates abroad.

EPA has detailed automotive fact manual describing emission requirements for imported vehicles. You may obtain a copy of this manual, called the *Automotive Imports Facts Manual*, or other information about importing motor vehicles by calling EPA's Imports Hotline at (202) 564-9240. You may also communicate by fax at (202) 564-2057; write to U.S. Environmental Protection Agency, Ariel Rios Building, Manufactures Operations Division (6405-J), Investigation/Import Section, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460; or visit the Web site at [www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports).

You may reach DOT's vehicle hotline at 1-800-424-9393; communicate by fax at (202) 366-1024; write to the National Highway Traffic Safety Administration (NSA-32), 400 7<sup>th</sup> Street, S.W. Washington, D.C. 20590; or visit the Web site on page x.

NOTE: Importations from Afghanistan (Taliban), Cuba, Iran, Iraq, Libya, North Korea, Sudan, Serbia/Montenegro/Kosovo, or Yugoslavia that involve the governments of those countries, are generally prohibited pursuant to regulations issued by the Treasury Department's Office of Foreign Assets Control. Before attempting to make such an importation, information concerning the prohibitions and licensing policy should be obtained by contacting the Director, Office of Foreign Assets Control, U.S. Department of the Treasury, 2<sup>nd</sup> Floor ANX, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220; tel. (202) 622-2500, (202) 622-2480, or FAX (202) 622-1657; or by visiting the Web site at [www.treas.gov/ofac](http://www.treas.gov/ofac).

#### PRIOR ARRANGEMENTS

The owner must make arrangements for shipping a vehicle. Have your shipper or carrier notify you of the vehicle's arrival date so that you can make arrangements to process it through Customs. Shipments are cleared at the first port of entry unless you arrange for a freight forwarder abroad to have the vehicle sent in bond to a Customs port more convenient to you.

Law prohibits Customs officers from acting as agents or making entries for an importer. However, you may employ a commercial customs broker to handle your entry.

#### DOCUMENTATION

For Customs clearance you will need the shipper's or carrier's original bill of lading, the bill of sale, foreign registration, and any other documents covering the vehicle. You will also be required to complete EPA form 3520-1 and DOT form HS-7, declaring the emissions and safety provisions under which the vehicle is being imported. Vehicles that meet all U.S. emission requirements will bear manufacturer's label on the engine compartment in English, attesting to that fact. For vehicles that lack such a label, the Customs inspector at the port of entry may require proof of eligibility to import under the EPA exemptions or exclusions specified on form 3520-1.

Vehicles that do not meet all U.S. emission requirements, unless eligible for exemption or exclusion must be imported through an independent commercial importer (ICI). EPA will not allow the vehicles' release to the vehicle owner until ICI work is complete. The ICI will perform any EPA-required modifications and be responsible for assuring that all EPA requirements have been met. Some vehicles cannot be successfully imported or modified by an ICI, however, and in general, ICI fees are very high.

See page x for driver's license and tag requirements.

#### CLEANING THE UNDERCARRIAGE

To safeguard against importation of dangerous pests, the U.S. Department of Agriculture requires that the undercarriage of imported cars be free of foreign soil. Have your car steam-sprayed or cleaned thoroughly before shipment.

#### YOUR CAR IS NOT A SHIPPING CONTAINER

For your own safety, security, and convenience, DO NOT use your car as a container for personal belongings.

- Your possessions are susceptible to theft while the vehicle is on the loading and unloading docks and in transit.
- Many shippers and carriers will not accept your vehicle if it contains personal belongings.
- The entire contents of your car must be declared to Customs on entry. Failure to do so can result in a fine or seizure of the car and its contents.
- Your vehicle may be subject to seizure, and you may incur a personal penalty, if anyone uses it as a conveyance of illegal narcotics.

#### DUTIABLE ENTRY

Foreign-made vehicles imported into the U.S., whether new or used, either for personal use or for sale, are generally dutiable at the following rates:

Auto	2.5%
Trucks	25%
Motorcycles	either free or 2.4%

Duty rates are based on price paid or payable. Most Canadian-made vehicles are duty-free.

As a returning U.S. resident, you may apply your \$400 Customs exemption and those of accompanying family members toward the value of the vehicle if:

- Accompanies you on your return;
- Is imported for personal use;
- Was acquired during the journey from which you are returning.

For Customs purposes, a returning U.S. resident is one who is returning from travel, work, or study abroad.

After the exemption has been applied, a flat duty rate of 10% is applied toward the next \$1,000 of the vehicle's value. The remaining amount is dutiable at the regular duty rate.

#### FREE ENTRY

-U.S. CITIZENS employed abroad or government employees returning on TDY or voluntary leave may import a foreign-made car free of duty provided they enter the U.S. for a short visit, claim nonresident status, and export the vehicle when they leave.

-MILITARY AND CIVILIAN EMPLOYEES of the U.S. government returning at the end of an assignment to extended duty outside the Customs territory of the U.S. may include a conforming vehicle among their duty-free personal and household effects. The auto must have been purchased abroad and be in its owner's possession prior to departure. Generally, extended duty is 140 days or more. Navy personnel serving aboard a U.S. naval vessel or a supporting naval vessel from its departure from the U.S. to its return after an intended overseas deployment of 120 days or more are entitled to the extended-duty exemption. Conforming vehicles imported under the duty-free exemption are dutiable if sold within one year of importation. Duty must be paid at the most convenient Customs office before the sale is completed. Conforming vehicles so imported may remain in the U.S. indefinitely once a formal entry is made for EPA purposes.

-NONRESIDENTS may import a vehicle duty-free for personal use up to (1) one year if the vehicle is imported in conjunction with the owner's arrival. Vehicles imported under this provision that do not conform to U.S. safety and emission standards must be exported within one year and may not be sold in the U.S. There is no exemption or extension of the export requirements.

#### CARS IMPORTED FOR OTHER PURPOSES

Nonresidents may import an automobile or motorcycle and its usual equipment free of duty for a temporary stay to take part in races or other specific purposes. However, prior written approval from the EPA is required and such approval is granted only to those racing vehicles that EPA deems not capable of safe or practical use on streets and highways. If the contests are for other than money purposes, the vehicle may be admitted for 90 days without formal entry or bond if the Customs officer is satisfied as to the importer's identify and good faith. The vehicle becomes subject to forfeiture if it is not exported or if a bond is not given within 90 days of its importation. Prior written approval must be obtained from DOT. A vehicle may be temporarily imported for testing, demonstration, or racing purposes. A vehicle may be permanently imported for show or display. Written approval from DOT is required and should be obtained before the vehicle is exported from the foreign country to the U.S. Information on how to import a vehicle under show or display is available at DOT's NHTSA Web site at [www.NHTSA.dot.gov/cars/rules/import](http://www.NHTSA.dot.gov/cars/rules/import). A vehicle permanently imported for show and display must comply with all U.S. emission requirements as well and in general must be imported through an EPA-authorized ICI for modification and testing. EPA will not allow the vehicle to be released to its owner until ICI work is complete.

#### SAFETY, BUMPER, AND THEFT PREVENTION STANDARDS

Importers of motor vehicles must file form HS-7 at the time of vehicle is imported to declare whether the vehicle complies with DOT requirements. As a general rule, motor vehicles less than 25 years old must comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS) in order to be imported permanently into the United States. Vehicles manufactured after September 1, 1978, must also meet the bumper standard, and vehicles beginning with model year 1987 must meet the theft-prevention standard.

Vehicles manufactured to meet these standards will have a certification label affixed by the original manufacturer near the driver's side door. If you purchase a vehicle abroad that is certified to U.S. standards, you may expedite your importation by making sure the sales contract identifies this fact and by presenting the contract to U.S. Customs at the time of importation.

A vehicle must be imported as a nonconforming vehicle unless it bears the manufacturer's label certifying that it meets U.S. standards. If it is a nonconforming vehicle, the importer must contract with a DOT-registered importer (RI) to modify the vehicle and certify that it conforms to all applicable FMVSS. The importer must also post a DOT bond for one and a half times the vehicle's dutiable value. This bond is

in addition to the normal Customs entry bond. Copies of the DOT bond and the contract with the RI must be attached to the HS-7 form.

Before a RI can modify your vehicle, however, it must first be determined whether the vehicle is capable of being modified to comply with the FMVSS. If a vehicle has not previously been determined to be eligible for importation, it must go through a petition process to determine whether it's capable of being modified for such compliance. If the vehicle under petition is not similar to one sold in the United States, the process of bringing it into compliance becomes very complex and costly. A list of vehicles that have already been determined to be (capable of being modified to comply with the FMVSS) may be obtained from a RI or from NHTSA's Web site.

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Available at all ports of entry.

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The following are considered vehicles: cars, trucks, buses, multipurpose vehicles, trailer, motorcycles, mopeds, and motorized bicycles.

The cost of modifying a nonconforming vehicle and the time required to bring it into conformance may affect your decision to purchase a vehicle abroad. NHTSA strongly recommends discussing these aspects with a RI before buying and shipping a vehicle purchased overseas.

#### FEDERAL TAX

Certain imported automobiles may be subject to the gas-guzzler tax imposed by section 4064 of the Internal Revenue Code. An individual who imports an automobile for personal use, or a commercial importer, may be considered an importer for purposes of this tax and thus liable for payment of the tax.

The amount of the tax is based on a combined urban/highway fuel-economy (miles per gallon) rating assigned by the EPA for gas-guzzler tax purpose. This EPA rating may be different from fuel-economy ratings indicated by the manufacturer.

If the EPA has not assigned a gas-guzzler fuel- economy rating for the model automobile you import, a rating must be independently determined. No tax is imposed on automobiles that have a combined fuel-economy rating of at least 22.5 miles per gallon.

Information on determining fuel-economy rating and liability for the tax are contained in section 4064 of the Code, Revenue Procedure 86-9, 1986-1 Cumulative Bulletin 530, Revenue Procedure 87-10, 1987-1 Cumulative Bulletin 530, Revenue Procedure 87-10, 1987-1 Cumulative Bulletin 545, and Revenue Ruling 86-20, 1986-1 Cumulative Bulletin 319.

The gas-guzzler tax is reported on Form 720, Quarterly federal Excise Tax Return, and form 6197, Gas-Guzzler Tax. Additional information may be obtained from your local district office of the Internal Revenue Service.

#### EMISSION STANDARDS

The following passenger cars, light-duty trucks, heavy-duty engines and motorcycles are subject to federal emission standards:

-Gasoline-fueled cars and light-duty trucks originally manufactured after December 31, 1967.

-Diesel-fueled cars originally manufactured after December 31, 1974.

-Diesel-fueled light-duty trucks originally manufactured after December 31, 1975.

-Heavy-duty engines originally manufactured after December 31, 1969.

-Motorcycles with a displacement more than 49 cubic centimeters originally manufactured after December 31, 1977.

Vehicles must be certified to U.S. federal emission standards by their manufacturers for sale in the U.S. Vehicles that do not meet these requirements are considered nonconforming. A currently certified ICI, a list of which is available from the EPA, must import Nonconforming vehicles for you. The only EPA-authorized ICIs are located in the U.S. It is therefore recommended that you contact an ICI to discuss costs for modification and testing before you decide to import a nonconforming vehicle. The ICI will be responsible for assuring that your car complies with all U.S. emission requirements. (As of July 1, 1998, EPA no longer has the one-time exemption for vehicles five or more model-years old.) Be aware that EPA will deny entry to certain makers, models, and model year if an ICI is not certified or is unwilling to accept responsibility for the vehicle(s) in question.

You may obtain additional information on emission control requirements or on ICIs from the U.S. EPA Vehicle Programs and Compliance Division/Imports at tel. (202) 564-9660, FAX (202) 565-2057; or visit the Web site on page x.

Individual state emission requirements may differ from those of the federal government. Proper registration of a vehicle in a state may depend upon satisfaction of its requirements, so you should contact the appropriate state authorities prior to importation. Be aware, however, that EPA will not accept compliance with a state's emission requirements as satisfying EPA's requirements.

#### A WORD OF CAUTION

Both the DOT and the EPA advise that although a nonconforming car may be conditionally admitted, the modification required to bring it into compliance may be so extensive and costly that it may be impractical and even impossible to achieve such compliance. It is highly recommended that these prohibitions and modifications be investigated before a vehicle's purchased for importation.

#### -Re-Importing a Previously Exported Vehicle

A vehicle taken from the United States for non-commercial, private use may be returned duty free by proving to U.S. Customs that it was previously owned and registered in the United States. This proof may be a State issued registration card for the automobile or a bill of sale for the car from a U.S. dealer. Repairs or accessories acquired abroad for your vehicle must be declared on your return and may be subject to duty.

In some countries, it will be difficult or impossible to obtain unleaded fuel for your vehicle. If the vehicle is driven using leaded gasoline, it will be necessary for you to replace the catalyst and oxygen sensor upon its return to the U.S. To avoid the expense of replacing these parts you may obtain authorization from EPA to remove the catalyst and oxygen sensor before the vehicle is shipped overseas. The EPA telephone number for these authorizations is (202) 564-2418. When the vehicle returns to the U.S., the original catalyst and oxygen sensor will need to be reinstalled. However, you may now reenter your U.S. version vehicle into the U.S. without bond, upon your assurance that you will have the reinstallation performed.

#### -Using Conveyances to Transporting Goods of a Commercial/Personal Nature

Goods of a commercial nature that are being transported in a privately owned conveyance will require the purchase of a user fee decal and the payment of duty may be required.

Goods being transported for personal use within a privately owned vehicle do not require the purchase of this decal. However, the payment of duty may be required.

Rental vehicles may be used to transport personal goods without the purchase of a decal if the driver has not been paid to operate the vehicle.

## EXCEPTIONS

The following vehicles need not conform to emission or safety requirements but may NOT be sold in the U.S. and may require EPA and DOT declarations:

-Those imported by nonresidents for personal use not exceeding one year. The vehicle must be exported at the end of that year – there are no exceptions or extensions.

-Those belonging to members of foreign armed forces, foreign diplomatic personnel, or other individuals who come within the class of persons for whom free entry have been authorized by the Department of State in accordance with international law.

-Those temporarily imported for testing, demonstration, or competition, provided they are not licensed for use, or driven on public roads. These vehicles may be operated on public roads or highways provided the operations are an integral part of the test. Parties responsible for such vehicles must submit proper documents- that is forms EPA 3520-1 and DOT HS-7—to Customs at the time entry is made. Also, applicable written approvals from these agencies must be obtained in advance and presented to customs along with these forms. Remember, the cost to return vehicles that have been refused prior approval can be very high and must be borne by the vehicle owner(s).

## DRIVER'S PLATES AND PERMITS

Imported cars should bear the International Registration Marker. The International Driving Permit, issued in five languages, is a valuable asset. Consult an international automobile federation or your local automobile club about these documents.

-U.S. RESIDENTS importing a new or used car should consult the Department of Motor Vehicles (DMV) in their state of residence about temporary license plates and what documentation their DMV would require from Customs.

-NATIONALS OF CENTRAL AND SOUTH AMERICAN countries that have ratified the Inter-American Convention of 1943 may drive their cars in the U.S. for touring purposes for one year or for the period of the validity of the documents, whichever is shorter, without U.S. license plates or U.S. driver's permits, provided the car carries the International Registration Marker and registration card, and the driver has the International Driving Permit.

-MOTORISTS VISITING THE UNITED STATES as tourists from countries that have ratified the Convention on International Road Traffic of 1949 may drive in the U.S. for one year with their own national license plates (registration tags) on their own national license plates (registration tags) on their cars and with their own personal drivers' licenses.

-MOTORISTS FROM CANADA AND MEXICO are permitted to tour in the U.S. without U.S. license plates or U.S. driver's permits, under agreements between the United States and these countries.

-MOTORISTS FROM A COUNTRY NOT A PARTY to any of the above agreements must secure a driving permit in the U.S. after taking an examination.

-FOREIGN NATIONALS employed in the U.S. may use their foreign license tags from the port of entry to their destination in the U.S.

## **EXPORTING A CAR**

## BASIC REQUIREMENTS AND PRECEDURES

To export a motor vehicle from the United States, the exporter must provide documents that demonstrate proof of ownership. In almost all cases, this will be the certificate of title. The original ownership documents, or a certified copy, and two copies must be presented to U.S. Customs.

If you are exporting through a land border port, you must submit the ownership documents to that port at least three days before exportation. On the date of exportation, you must present the vehicle to U.S. Customs to verify that the car being exported is the one described in the ownership documents.

The car will be subject to Customs inspection at the time of exportation. If the exportation is by ship or plane, both the vehicle and ownership documents must be presented to Customs at least 72 hours before lading, at which time Customs will conduct its inspection.

The vehicle will be authorized for export only after Customs has inspected it and certified that the ownership documents are in proper order. Your original title will then be stamped or perforated to show that your vehicle was exported from the United States.

### OWNERSHIP DOCUMENTS

Only the original certificate of title, or a certified copy of the original (ISSUED BY A Government Agency), is considered valid proof of ownership. Other registration documents, by themselves, are not considered proof of ownership. If the car has a lien, encumbrance, or is leased, the exporter will have to attach to the certificate of title a letter from the lien holder or lease holder authorizing it to leave the country.

If the vehicle is a new car that has never been titled, it can be exported by submitting a document known as a MSO (manufacturer's statement of origin) in lieu of the title. The manufacturer's statement of origin may be obtained from the auto dealer. The original and two copies must be presented to Customs.

Some very old used vehicles and some foreign vehicles purchased abroad may not have a certificate of title, or junk scrap certificate in force and for which a manufacturer's statement of origin was not issued. In these cases, a bill of sale, sales invoice, right of possession, or other documents sufficient to prove lawful ownership may be used. In addition, the owner must certify in writing to Customs that the procurement of the vehicle was a bona fide transaction and that the vehicles presented for export is not stolen. Again, the original and two copies must be presented.

Check with your local Customs office about acceptable ownership documentation for cases in which a title cannot be produced. Most used vehicles, however—and this includes used cars legally bought and sold in the United States—must be accompanied by the original title, or a certified copy, as proof of ownership.

### ADDITIONAL INFORMATION

This brochure is specific to cars, trucks, and motorcycles. Other motorized vehicles, such as motorized farm equipment, lawnmowers, and construction equipment may be subject to similar rules and regulations.

Should you need additional information about exporting your vehicle, please contact the Customs port from which you plan to export it. You can find their address and phone number by accessing the Customs Web Site at [www.customs.gov](http://www.customs.gov).

The source of the foregoing authority may be found in 19 CFR Part 192 that contains the Customs regulations.