

UNITED STATES CUSTOMS SERVICE:

Importing A Car Summary

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. Most vehicles manufactured abroad that conform with U.S. safety, bumper, and emission standards are exported expressly 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. Nonconforming vehicles entering the United States must be brought into compliance, exported, or destroyed. This summary 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 and Department of Transportation requirements are subject to frequent changes, we recommend that you contact these agencies before buying a vehicle abroad. Their addresses can be found below. United States Customs leaflets 'Know Before You Go (Customs Hints for Returning U.S. Residents)' and 'Customs Hints for Visitors (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.

The Environmental Protection Agency has a detailed automotive facts manual describing emission requirements for imported vehicles. You can get a copy of this manual, called the Automotive Imports Facts Manual, (order # EPA420B94006) or other information about importing motor vehicles by calling EPA's Imports Hotline (202) 233-9660. You can also communicate by fax at (202) 233-9596 or by writing to the U.S. Environmental Protection Agency, Manufacturers Operations Division 6405-J, Investigation/Imports Section, 401 M Street, S.W., Washington, D.C. 20460.

NOTE. Importations from Cuba, Iran, Iraq, Libya, or North Korea, or that involve the governments of those countries, are generally prohibited pursuant to regulations issued by the Treasury Department's Office of Foreign Assets Control. Prior to any attempt 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, 2nd Floor ANX, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220, Tel. (202) 622-2500, or Fax (202) 622-1657.

REQUIREMENTS FOR MOTOR VEHICLE IMPORTS, BY SUBJECT

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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 Customs can clear it. 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.

Customs officers are prohibited by law 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 need written prior approval from EPA, which will be evident to the Customs inspector at the port of entry in the form of an approval letter from the EPA, or a manufacturer's label in the English language affixed to the car, stating that the vehicle meets all U.S. emission requirements.

Or, you may make arrangements to import your vehicle with an Independent Commercial Importer (ICI). In this case, the ICI will import your vehicle and perform any EPA-required modifications and be responsible for assuring that all EPA requirements have been met. ICIs can only import certain vehicles, however, and in general, their fees are very high.

See below for DOT requirements and 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 for 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:

Autos	2.5%
Trucks	25%
Motorcycles	3% or 3.4%

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 it:

- 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.

NONRESIDENTS may import a vehicle duty-free for personal use if the vehicle is imported in conjunction with the owner's arrival. Nonconforming vehicles must be exported within one year and may not be sold in the U.S. There is no exemption or extension of the export requirement. 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. (See below, "Emission Standards.")

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 identity 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 authorization must be obtained from DOT if the vehicle does not conform to all applicable Federal motor vehicle safety standards.

SAFETY, BUMPER, AND THEFT PREVENTION STANDARDS

Motor vehicles not more than 25 years old must conform to the DOT motor vehicle safety standards that were in effect when these vehicles were manufactured. Passenger cars manufactured after September 1, 1973 must also meet bumper standards. The importer must file form DOT HS-7 at the time of entry, indicating whether the vehicle conforms to applicable safety and bumper standards. The original manufacturer is required to affix a label to the vehicle certifying that these standards have been met if the vehicle is intended for sale in the United States. Vehicles that do not bear a certification label attached by the original manufacturer must be entered as a nonconforming vehicle under a DOT bond for one and a half times the vehicle's dutiable value. This is in addition to the regular Customs entry bond.

Unless specifically excepted, the importer must sign a contract with a DOT Registered Importer (RI), who will modify the vehicle to conform with all applicable safety and bumper

standards and who can certify the modifications. A copy of the RI's contract must be attached to the DOT HS-7 form and furnished to the Customs Service with the DOT bond at the port of entry. A list of RIs is available from any DOT and should be obtained before you decide to import a vehicle. Furthermore, DOT requires that the vehicle model and model year must, prior to entry, be determined eligible for importation. A DOT RI can advise you whether your vehicle is eligible; if it is not, the RI can submit a petition on your behalf to have your vehicle considered for eligibility, if you so desire. Understand, however, that fees must be paid at the time such petitions are filed.

For additional information or details on these requirements, contact the U.S. Department of Transportation, National Highway Traffic Safety Administration, Director of the Office of Vehicle Safety Compliance (NEF-32), 400 7th Street SW, Washington, DC 20590, tel. (202) 366-5313 or fax (202) 366-1024.

You may select NHTSA to go directly to their web site to obtain more detailed information on NHTSA requirements for importing vehicles. To return to this page, use your browser's.

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 purposes. 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 ratings and liability for the tax are contained in section 4064 of the Code, Revenue Procedures 86-9, 1986-1 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 of more than 49 cubic centimeters originally manufactured after December 31, 1977.

Beginning with the 1974 model year, vehicles that were originally manufactured to meet U.S. emission requirements, if driven outside the United States, Canada, Mexico, Japan, Australia, Taiwan or the Bahama Islands, may be required to have their oxygen sensor and/or catalytic converter replaced. You may import your U.S.-version vehicle under a Customs bond and have any qualified mechanic perform the necessary work. You should contact the EPA directly for detailed requirements and options before shipping your vehicle. Nonconforming vehicles must be imported for you by a currently certified Independent Commercial Importer (ICI), a list of which is available from the EPA. This list should be obtained before you decide to import a car. The ICI will be responsible for assuring that your car complies with all U.S. emission requirements. (As of July 1, 1988, the EPA no longer has the one-time exemption for vehicles five or more model-years old.) Be aware that the EPA will deny entry to certain makes, models, and model years if an ICI is not certified or is unwilling to accept responsibility for the vehicle(s) in question. You can obtain additional information on emission control requirements or on ICIs from the U.S. EPA Manufacturers Operations Division 6405-J, Investigation/Imports Section, Washington, D.C. 20460, Tel. (202) 233-9660, Fax (202) 233-9596.

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; you should contact the appropriate state authorities prior to importation. Be aware, however, that the EPA will not accept compliance with a state's emission requirements as satisfying EPA's.

You may select EPA Mobile Sources to go to the homepage of the EPA's Office of Mobile Sources for detailed information about EPA vehicle emission requirements. To return to this page, use your browser's BACK button.

A WORD OF CAUTION

Both the Department of Transportation and the Environmental Protection Agency advise that although a nonconforming car may be conditionally admitted, the modifications required to bring it into compliance may be so extensive and costly that it may be impractical and even impossible to achieve such compliance. Moreover, under Federal Regulations 49 CFR parts 591 through 594, effective January 31, 1990, some vehicle models are prohibited from importation. It is highly recommended that these prohibitions and modifications be investigated before a vehicle is purchased for importation.

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-no exceptions or extensions.

- Those belonging to members of foreign armed forces, foreign diplomatic personnel, and members of public international organizations on assignment in the U.S. for whom free entry has been authorized by the Department of State.
- Those temporarily imported for research, demonstration, or competition, provided they are not licensed for use, or driven, on public roads. 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 that the cost to return vehicles that have been refused prior approval can be very high and must be borne by the vehicle's 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 in their state of residence about temporary license plates.

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 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 cars and with their own personal driver's 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.