



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,
15 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 who 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 (or 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 tire 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



United States
Environmental Protection Agency
 Washington, DC 20460

Importation of Nonroad Engines and Nonroad Engines Incorporated Into Nonroad Equipment or Vehicles, Subject to Federal Air Pollution Regulations
 U.S. E.P.A., Vehicle Programs & Compliance Division (6405-J), 401 M Street, S.W., Washington D.C. 20460

This form must be prepared and retained by the Importer for each imported nonroad engine, including engines incorporated into nonroad equipment or nonroad vehicles. One form per shipment may be used, if each engine is individually described as below, on an attachment to this form. A duplicate form, including attachments, must also be provided to the U.S. Customs Service (Customs) for inspection (42 USC 7522, 7601:19 CFR 12.74) upon request. This form is not required for engines used to propel or manufactured for use in propelling an aircraft, a locomotive or a marine vessel.

The following nonroad engines are subject to U.S. EPA certification and labeling requirements:

Compression ignition engines using diesel, compressed natural gas (CNG), liquefied petroleum gas (LPG), propane, rapeseed, methanol, ethanol, hydrogen, biodiesel, reformulated gas (RFG), coal-derived fuels, or other alternative fuels, and

- greater than or equal to 37 kW (50 Hp) but less than 75 kW (100 Hp) manufactured after January 1, 1998.
- greater than or equal to 75 kW (100 Hp) but less than 130 kW (175 Hp) manufactured after January 1, 1997.
- greater than or equal to 130 kW (175 Hp) but less than or equal to 560 kW (750 Hp) manufactured after January 1, 1996.
- greater than 560 kW (750 Hp) manufactured after January 1, 2000 (40 CFR 89.611(f)(1)).

Spark ignition engines using gasoline, methanol, compressed natural gas, liquid petroleum gas, including propane, or other alternative fuels, and

- less than or equal to 19 kW (25 Hp) manufactured after September 1, 1997 (40 CFR 90.612(f)(1)).

Penalties: 1) Any person who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$250,000 or imprisoned for up to 5 years, or both (18 USC 1001). Any person who improperly imports a nonroad engine, or a nonroad engine incorporated into nonroad equipment or a nonroad vehicle may be fined up to \$25,000 per nonroad engine (42 USC 7524), and may be subject to forfeiture of the entire importation bond, if applicable (40 CFR 89.612, 90.613), and Customs may seize the nonroad engine, equipment, or vehicle (19 CFR 162.21).

2) Any person who manufactures and distributes in commerce, sells, offers for sale, or introduces into commerce a nonroad engine, or nonroad vehicle or equipment which contains an engine, subject to EPA certification requirements but not covered by a certificate of conformity, may be fined up to \$25,000 per violation (40 CFR 89.1003(a)(1), 89.1006(a)(1), 90.1003(a)(1), 90.1006(a)(1)).

3) Any person who circumvents or attempts to circumvent stationary engine residence time requirements may be fined up to \$25,000 per day of violation (40 CFR 89.1003(a)(5), 89.1006(a)(5), 90.1003(a)(8), 90.1006(a)(5)).

Description and Declaration of Nonroad Engine, or Nonroad Engine Incorporated into Nonroad Equipment or Nonroad Vehicle

Port Code:	Entry Date:	Customs Entry No.:	Engine Model, Model No. and Serial Number:	Engine kW or Hp Rating:
Engine Build Date (stamped on engine):		Engine Manufacturer:	Description of Equipment or Vehicle Containing the Nonroad Engine, including Serial Number:	

Names, Addresses, and Telephone Numbers of Relevant Parties

Certification: I certify that I have read and understand the purpose of this form, the penalties for falsely declaring information, or for providing misleading information, or for concealing a material fact. The information I have provided is correct, and all required attachments are appended to this form. I authorize EPA Enforcement Officers to conduct inspections or testing permitted by the Clean Air Act. I am the owner, importer, or agent for the owner or importer.

Importer (Name, Address, Telephone):	Owner (provide Taxpayer No. or SSN):	Signature: Date: Name (Print):
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- 1. Engine manufacturer - Nonroad engines, nonroad equipment, or nonroad vehicles imported by a nonroad engine manufacturer holding a currently valid EPA certificate of conformity. Either 1) the list of engine serial numbers imported is attached, or 2) the engine manufacturer will retain such information in electronic or paper form and agrees to retrieval upon EPA or Customs request. **Note:** a nonroad engine manufacturer importing a manufacturer-owned nonconforming engine must comply with 40 CFR 89.906 or 90.906 as applicable.
- 2. U.S. certified engine - Nonroad engine, (or nonroad equipment or nonroad vehicle incorporating an engine) that is U.S. EPA certified and in original EPA configuration as demonstrated by:
 - a. Engine manufacturer's emission label (on the nonroad engine, may also appear elsewhere on nonroad vehicle or equipment) in the English language stating it was manufactured to meet all U.S. emission requirements; or
 - b. Letter from the engine manufacturer (holding a currently valid EPA certificate of conformity) attached to this form stating the nonroad engine, or nonroad engine incorporated into a nonroad vehicle or nonroad equipment was manufactured to meet all U.S. emission requirements.
- 3. Identical to U.S. certified engine - "Identical in all material respects" to a U.S. certified version, as demonstrated by letter attached to this form from the engine manufacturer (holding a currently valid EPA certificate of conformity) stating that the nonroad engine, or nonroad engine incorporated into a nonroad vehicle or nonroad equipment, while manufactured for sale outside of the U.S., was manufactured to be identical to a U.S. certified nonroad engine with respect to emissions. EPA approval not required. Any person may import a qualifying nonroad engine, or nonroad engine incorporated into a nonroad vehicle or nonroad equipment using this code.
- 4. Personal use exemption - Importer is importing three or fewer nonroad spark ignition engines (including engines incorporated into nonroad equipment or nonroad vehicles) less than or equal to 19 kW (25 Hp) for purposes other than resale. The importer has never previously used the personal use exemption. This exemption is not available for compression ignition engines. EPA approval not required.
- 5. Hardship exemption - EPA approval letter based on unforeseen case of extreme hardship or extraordinary circumstance, is attached to this form.



Excluded vehicles

- code L - racing vehicle** as determined by EPA and may not be registered or licensed for use on or operated on public roads or highways (40 CFR 85.1511(e)). **EPA letter of approval must be attached to this form.**
- code U - motorcycle, scooter or moped** with engine displacement less than 50cc and with rated speed greater than 5000 rpm.
- code W - non-chassis-mounted engine** to be used in a light-duty vehicle or light-duty truck or motorcycle.
- code X - offroad vehicle not subject to nonroad requirements shown on EPA form 3520-21**, including motorcycles, multi-purpose vehicles, or heavy-duty engines for use in, or installed in an offroad vehicle, imported in accordance with 40 CFR 85.1703. Importer must attach proof that vehicle lacks safety or other features required for safe and practical street operation, including evidence of inordinate size or weight preventing highway use. The vehicle may not be registered for, or licensed for, or capable of use on, or operated on the public roads or highways. Multi-purpose vehicles capable of being operated on the public roads or highways may not be imported using this code, regardless of intended use.
- code Y - unregulated fuel** - a vehicle or heavy-duty engine that: (1) for model years earlier than 1991 operates on fuel other than gasoline or diesel fuel, or (2) for 1991- 1996 model years operates on fuel other than gasoline or diesel or methanol fuel, or (3) for 1997 and later model years operates on fuel other than gasoline or diesel or methanol or compressed natural gas (CNG) or liquid petroleum gas (LPG), including propane.

Temporary imports

- code G** - imported for **repair or alteration** in accordance with 40 CFR 85.1511(b)(1). May not be registered or licensed for use on, or operated on public roads or highways, or sold or leased in the U.S. **Customs bond required.** EPA requests that the vehicle be bonded for at least its full value.
- code I** - imported for **testing** purposes in accordance with 40 CFR 85.1511(b)(2). May not be registered or licensed for use on or operated on public roads or highways (except operation that is integral to the purpose of the testing program) or sold or leased in the U.S. **Customs bond required.** EPA requests that the vehicle be bonded for at least its full value.
- code K** - imported for **display** (solely for public or business purposes, and not for private purposes or U.S. market sales promotions) in accordance with 40 CFR 85.1511(b)(4). May not be registered or licensed for use on or operated on public roads or highways (except operation that is integral to the purpose of the display) or sold or leased in the U.S. **Customs bond required.** EPA requests that the vehicle be bonded for at least its full value.
- code N** - imported for a period up to one year by member of the armed forces or personnel of a foreign government on assignment to the U.S., for whom free entry has been authorized in writing by the U.S. Department of State, or a member of the armed forces of a foreign country with official orders for duty in the U.S.
- code O** - imported by nonresident for personal use by an individual for a period up to a year.

Independent commercial importer (ICI) imports

- code A** - imported by an ICI for modifications in accordance with a valid EPA certificate of conformity issued for the specific make, model, and model year in accordance with 40 CFR 85.1505.
- code C** - imported by an ICI for modification and testing in accordance with 40 CFR 85.1509. Vehicle or heavy-duty engine must be at least 6 years old.
- code J** - imported by an ICI for the purpose of pre-certification testing in order to obtain an EPA certificate of conformity. No EPA approval is required. The ICI has 180 days to obtain a certificate or export (40 CFR 85.1511(b)(3)). **Customs bond required.**
- code Z** - imported by an ICI for the purpose of modifying to be identical to an original equipment manufacturer (OEM) certified version in accordance with written instructions from the OEM that are specific to the vehicle or heavy-duty engine being imported.

OEM imports

- code H** - imported, owned, and controlled directly by an original equipment manufacturer (OEM) on EPA list of OEM certificate holders provided to Customs, for research, development or testing purposes in accordance with 40 CFR 85.1706. This is a temporary exemption without time limit. If the vehicle is subsequently covered by an applicable EPA certificate of conformity, it is released from the restrictions of this exemption.
- code Q** - imported, owned, and controlled directly by an original equipment manufacturer (OEM) on EPA list of OEM certificate holders provided to Customs, for storage pending receipt of the applicable EPA certificate of conformity, which is pending and imminent. Use of this code is no longer permitted once EPA has issued the applicable certificate of conformity.

Paperwork Reduction Act Notice

This information is collected to ensure that motor vehicles and engines imported into the U.S. conform with applicable emission requirements. Responses to this collection are mandatory (40 CFR 85.1501 et seq., and Clean Air Act Sections 203 and 208). Information submitted to the Agency under a claim of confidentiality will be safeguarded according to policies set forth in Title 40, Chapter 1, Part 2, Subpart B. The public reporting and recordkeeping burden for this collection of information is estimated to average 30 minutes per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.