

Automotive Imports Facts Manual

U. S. Environmental Protection Agency Requirements Only



Disclaimer.

This facts manual is produced by the U.S. Environmental Protection Agency (EPA) and is updated periodically. It is the responsibility of the importer to refer to the most recent version of the facts manual when importing motor vehicles. Updates to the facts manual may be obtained from the EPA free of charge.

IMPORTERS BEWARE!

NON-CONFORMING (NON-U.S. VERSION) VEHICLES

- EPA strongly recommends that prospective importers buy only U. S. version (labeled) vehicles, because of the expense and potential difficulties involved with importing a non-U.S. version vehicle.
- EPA strongly recommends that current owners of non-U.S. version vehicles sell or otherwise dispose of those vehicles overseas rather than ship and import them into the U.S., because of the expense and potential difficulties involved with importing a non-U.S. version vehicle.
- The EPA policy which permitted importers a one-time exemption for vehicles at least five years old has been eliminated.
- Before shipping a non-conforming vehicle for importation, EPA strongly recommends that the importer either make final arrangements with an ICI for modifications and testing, or obtain EPA approval in writing for importation. Storage fees at the ports are costly, and the vehicle may not be eligible for importation.
- Not all non-conforming vehicles are eligible for importation, and ICIs are not required to accept vehicles for which they have qualifying certificates of conformity.
- EPA certification of ICIs does not guarantee the actions or work of the ICIs, nor does it regulate contractual agreements and working relationships with vehicle owners.

U.S. VERSION VEHICLES

- U.S. version vehicles driven overseas may need to be bonded upon importation.
- The catalysts and oxygen sensors may need to be replaced on U.S. version vehicles driven overseas.
- The vehicle's emission control system, drive train (including engine), and fuel system, will need to be restored to it's original EPA-certified configuration if those systems or components are altered, damaged, malfunctioning or missing.

AUTOMOTIVE IMPORTS FACTS MANUAL

Table of Contents

A. Introduction

- [Introduction](#)
- [Glossary](#)
- [Importation Flow Chart](#)

B. Detailed Importing Requirements

- [Excluded Vehicles](#)
- [Temporary Importations](#)

- Permanent Importations
 - [U.S. Version Vehicles](#)
 - [Canadian Vehicles](#)
 - [List of Canadian Vehicles Considered by EPA to Conform with U.S. Emissions Requirements](#)
 - [Non-U.S. Version Vehicles](#)

C. Attachments

- [Non-Emission Requirements](#)
- [How to Find the Vehicle Emissions Label](#)
- [Additional Information](#)
- [Manufacturer's U.S. Representatives](#)
- [List of Independent Commercial Importers](#)

D. EPA Entry Forms

- [Use EPA Standard Form 3520-1](#) for vehicles and heavy duty trucks

SECTION A

INTRODUCTION

Importing motor vehicles and motor vehicle engines (hereafter referred to collectively as vehicles) into the United States can be a very complex and confusing process. Before importing any vehicle into the U.S., importers need to consider the EPA requirements. This **Automotive Imports Facts Manual** guides individuals through the necessary steps for importing vehicles into the United States. The vehicle emission regulations and requirements discussed in this manual are based on Title II of the Clean Air Act (Act) and volume 40 of the Code of Federal Regulations, Part 85; subparts P and R. You may find the Federal Regulations in the September 25, 1987 Federal Register Vol. 52, No. 186, pages 36136 - 36164.

How to Use this Manual

This manual is designed to direct importers through the proper procedures for importing their vehicle. To use the manual effectively, importers will likely need to know some or all of the following information listed below:

1. the year the vehicle was originally manufactured
2. the model year, make and model of the vehicle (i.e. 1990 Chevy Lumina)
3. whether the vehicle conforms to U.S. emission requirements (generally, conforming vehicles are labeled by the manufacturer as meeting EPA emission requirements)
4. the type of fuel the vehicle uses (e.g., gasoline, diesel, propane, etc.)
5. whether the vehicle was manufactured with or without a catalytic converter
6. the gross vehicle weight rating (GVWR) for trucks

There are three primary questions for determining the general method of importation of a vehicle (see the [Importation Flow Chart](#)). The first is to determine if the vehicle is *excluded* by the Act from meeting Federal emission requirements. If it is excluded, you should follow the instructions given in the section "Excluded Vehicles." If your vehicle is not excluded, the next question is whether you desire a *temporary* or *permanent* importation. If you are importing your vehicle only temporarily, you should follow the instructions given in the section "Temporary Importations." If your importation is permanent, the third question is whether your vehicle is a U.S. *version vehicle*, a *Canadian vehicle*, or a *non U.S. / Canadian version vehicle*. You can go to each one of those titled sections and follow the specific instructions for importing your vehicle.

EPA Entry Form

An EPA importation declaration form (EPA Form 3520-1) must be submitted to the U.S. Customs Service for most vehicle importations. The most recent version of the EPA Form 3520-1 must be used and may be obtained from U.S. Customs or a Customshouse Broker at the port of entry. A copy of this form is also provided in this manual as Attachment 6a in Section C. This Automotive Imports Facts Manual will help you determine which declaration code must be entered in block 8 of the EPA Form 3520-1 for your vehicle (see [Figure 1](#) below). There is only one situation in which the importer does not

need to submit the EPA Form 3520-1 to U.S. Custom: An original equipment manufacturer (OEM) importing new certified vehicles.

EPA United States Environmental Protection Agency
 Department of Motor Vehicle and Motor Vehicle Engines
 Statement of Compliance for Motor Vehicle and Motor Vehicle Engines
 Form 3520-1 (Rev. 10/1999)

B. EPA Declaration Code
 (See page 2-4 for codes)

Emissions

Exemptions

Emissions Testing

The Federal emission testing requirements are based on complex laboratory testing procedures as described in 40 CFR Part 86. The emissions are measured while the vehicle is being driven in the laboratory on a chassis dynamometer. The vehicle is driven through a specific driving cycle representing a typical urban drive of 10.5 miles, takes 14 to 36 hours, and includes fuel filling, starting, stopping, accelerating, decelerating, cruising, idling, and sitting while parked*. The emissions measured include hydrocarbons (H C), Carbon Monoxide (CO), Nitrous Oxides (NOx), Evaporative emissions, and particulate emissions. Commercially, testing for light-duty vehicles (e.g., passenger cars) typically costs about \$1,000. State emission tests are typically much shorter, simpler, and cheaper, and measure only HC and CO. EPA does not accept the results of state emission tests to demonstrate compliance with Federal emission standards.

* The testing details described above represent the Federal emission testing requirements for light-duty vehicles (cars) and light-duty trucks. Heavy-duty engines are tested on an engine dynamometer (not mounted in a truck, bus, etc.) and have different testing procedures.

Non-emission Requirements

This manual describes only the EPA requirements, that is, only those related to emissions and only those required by the Federal government. Importers of vehicles must also comply with the requirements of

other Federal Agencies (e.g., Department of Transportation for safety requirements, Internal Revenue Service for gas guzzler taxes, and U.S. Customs Service for tariffs, duties, etc.) as well as those of State and local governments (see [Non-Emission Requirements](#) for applicable Federal government contacts).

Contractual Agreements with Independent Commercial Importers

To lessen your chances at being surprised later with unexpected costs or lengthy delays, EPA highly recommends that anyone importing a vehicle through the services of an Independent Commercial Importer (ICI) should obtain a written contractual agreement which addresses typical buyer concerns, such as:

- 1) Does the ICI have the necessary EPA certificate to import the vehicle?
- 2) Is the price quoted a fixed price, regardless of the number of tests required for importation or will there be additional charges for each additional test, and if so, at what additional charge?
- 3) Is the ICI obligated to inform the owner prior to incurring any additional charges?
- 4) Is the time required to successfully demonstrate compliance quoted?
- 5) Does the owner have any right to terminate the services of the ICI if costs become too high or the time involved too long?

GLOSSARY

ACT

The Clean Air Act, as amended (42 U.S.C. 7401 *et seq.*). The Act requires EPA to regulate emissions from light-duty vehicles, light-duty trucks, motorcycles, and the engines used in heavy-duty vehicles and heavy-duty trucks. Violations of the Act can result in civil penalties of up to \$25,000 per violation.

CERTIFICATE OF CONFORMITY

The document issued to a vehicle manufacturer by EPA under section 206(a) of the Act. A certificate of conformity certifies that a particular class of motor vehicles conforms to the EPA requirements. Every class of motor vehicles introduced into the commerce of the U.S. must have a certificate of conformity, and they are valid for only one model year of production.

CERTIFICATE HOLDER

Manufacturer holding a valid certificate of conformity issued by EPA.

CERTIFIED

Covered by a Certificate of Conformity issued by EPA

EMISSIONS TEST(ING)

As used in this document, "emission test" is used as a convenient abbreviation for the collection of all applicable Federal emission test procedures. This should not be confused with the much simpler and cheaper emission test required by many states, and conducted by garages and dealers.

EPA

Environmental Protection Agency

GVWR

Gross vehicle weight rating

HEAVY-DUTY TRUCK OR VEHICLE ENGINE (HDE)

Any engine to be used in a heavy-duty truck or heavy-duty vehicle for the purpose of propelling the truck or vehicle.

HEAVY-DUTY DIESEL ENGINE (HDDE)

A Heavy-duty engine that runs on diesel fuel.

HEAVY-DUTY GASOLINE ENGINE (HDGE)

A Heavy-duty engine that runs on gasoline.

HEAVY-DUTY VEHICLE (HDV) or HEAVY-DUTY TRUCK (HDT)

Generally, any vehicle (including buses) having a GVWR of greater than 8500 pounds, or curb weight of more than 6000 pounds.

INDEPENDENT COMMERCIAL IMPORTER (ICI)

A commercial importer of vehicles who is not an original equipment manufacturer (OEM) or does not have a contractual agreement with an OEM to act as its authorized representative for the distribution of vehicles in the U.S. market. An ICI is considered to be a manufacturer when it modifies a nonconforming vehicle.

LIGHT-DUTY TRUCK (LDT)

Vehicles (generally pickup trucks and vans) of 8500 pounds GVWR or less that are designed principally for carrying cargo, not passengers.

LIGHT-DUTY VEHICLE (LDV)

Automobile, passenger car, etc.

MODEL YEAR

The vehicle manufacturer's annual production period. (e.g., vehicles manufactured in January 1994 are considered to be part of the 1994 model year). If the manufacturer has no annual production period (e.g., the model year is not explicitly specified by the manufacturer for many vehicles manufactured for sale in foreign countries), the model year is considered to be the calendar year in which a vehicle is manufactured. For a vehicle modified by an ICI, the ICI's model year is the calendar year in which it modifies the vehicle.

NONCONFORMING VEHICLE

A vehicle that is not covered by a certificate of conformity prior to importation into the U.S. (either a final or conditional importation) and which has not been finally admitted into the United States by EPA. Vehicles claimed to be U.S. certified vehicles driven overseas are generally presumed to be nonconforming until proven otherwise, including for the presence and proper functioning of all emission related components.

ORIGINAL PRODUCTION (OP) YEARS OLD

A vehicle's age, determined by subtracting the calendar year in which it was originally manufactured from the calendar year of importation (e.g., a vehicle built by a European manufacturer in 1986 and imported into the U.S. in 1988 would be two original production years old).

ORIGINAL EQUIPMENT MANUFACTURER (OEM)

The manufacturer that originally produced the vehicle or heavy-duty engine (e.g., Ford, Mercedes Benz, etc.)

USEFUL LIFE

The legal life of a vehicle during which the manufacturer is responsible for meeting emission requirements and offering an emissions warranty. (i.e., For cars built from January 1, 1968 to the 1993 model year, the useful life is five years or 50,000 miles, whichever ever occurs first. A longer useful life of ten years or 100,000 miles which ever occurs first, is being phased in with the 1994 model years).

VEHICLE

As used in this manual, "vehicle" is used as a convenient abbreviation for the collection of all categories of motor vehicles and motor vehicle engines. Specifically, it includes cars, motorcycles, light-duty trucks, heavy-duty vehicles, heavy-duty trucks, and heavy-duty engines.

VIN

Vehicle Identification Number

SECTION B

DETAILED IMPORTING REQUIREMENTS

1. Excluded Vehicles

Excluded vehicles are those vehicles that have been excluded from the emission requirements of the Clean Air Act. These vehicles are excluded by either their age (i.e., manufactured prior to the regulations), the type of fuel the vehicle uses, the maximum speed of the vehicle, or the lack of features associated with safe and practical street or highway use. Excluded vehicles may be imported by anyone. No bond is required by EPA.

a. Exclusions Based on Age

The vehicle is a:

- | | |
|------------------------------------------------------------------------------|------------------------------------|
| • Light-duty gasoline-fueled car or truck built before January 1, 1968 | Declare code:
E
(formerly R) |
| • Light-duty diesel-fueled car built before January 1, 1975 | E
(formerly S) |
| • Light-duty diesel-fueled truck built before January 1, 1977 | E
formerly T) |
| • Motorcycle built before January 1, 1978 | E
(formerly U) |
| • Heavy-duty engine (gasoline or diesel-fueled) built before January 1, 1970 | E
formerly V) |

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "E". Customs may require proof of vehicle age.

Restrictions

- None

b. Non-Chassis-Mounted Engine

The engine is to be used in a light-duty vehicle (LDV), a motorcycle, or a light-duty truck (LDT). Anyone may import a non-chassis-mounted light-duty motor vehicle engine which is currently covered by an EPA certificate or will be covered by an EPA certificate prior to introduction into commerce. The engine may be imported without a Customs bond required by EPA or written EPA approval.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "W".

Restrictions

- Mounting an engine in a chassis to "manufacture" a LDV, motorcycle, or LDT without the proper certificate of conformity from EPA is a violation of the Clean Air Act;
- Mounting an engine in an existing LDV, motorcycle, or LDT that is certified is a violation of the Clean Air Act unless the engine replacement is identical to the engine being replaced; and
- The importation of an engine to be used in a heavy-duty vehicle or heavy-duty truck is a violation of the Clean Air Act unless the engine has a proper label indicating that it is covered under a certificate of conformity, or was built prior to 1970, or is otherwise excluded or exempted.

c. Off Road Vehicle

Any 2006 or later model year off road/recreational vehicles are subject to certification in accordance with 40 CFR Part 1051. Exclusion determinations for 2005 or earlier off road/ recreational vehicles are based on the capability of the subject vehicles, not their intended or principal use. The vehicle:

1. cannot exceed a maximum ungoverned speed of 25 miles per hour over level, paved surfaces, (Vehicles that are governed to a speed of 25 miles per hour or less may be excluded if the governor is deemed sufficiently tamperproof. EPA will make evaluations of governing devices upon request); or
2. lacks features customarily associated with safe and practical street or highway use, such features including, but not limited to, a reverse gear (except in the case of motorcycles), a differential, or safety features by state and/or Federal law, (The mere deletion, removal or absence of features that can be readily added or the lack of U.S. Department of Transportation approval of safety features on the vehicle is not sufficient grounds for exclusion); or

3. exhibits features which render its use on a street or highway unsafe, impractical, or highly unlikely, such features including, but not being limited to, tracked road contact means, an inordinate size, or features ordinarily associated with military combat or tactical vehicles such as armor and/or weaponry, (EPA regards vehicles that exceed any of the Federal weight or dimensional limitations placed on vehicles using the Interstate Highway System to be of an inordinate size). The Interstate limitations include a single axle weight of 20,000 pounds, a tandem axle weight of 34,000 pounds, a vehicle weight of 80,000 pounds, and a width of 102 inches, excluding safety devices. The weight limitations are actual vehicle or axle weights, not weight ratings.)

EPA will make written determinations of exclusion for individual vehicle models upon receipt of dimensions, technical specifications and photographs or drawings of the model in question. While some vehicles can be easily determined to be excluded, particularly those of inordinate size, others require more review. An importer that makes his or her own determination does so at his or her own risk.

Off road/recreational vehicles manufactured on or after January 1, 2006 are subject to EPA certification regulations 40 CFR Part 1051. The new regulations are primarily for 2006 and later model year off road vehicles. Consult the EPA nonroad entry form 3520-21 to determine applicability. The EPA entry form 3520-1 will no longer be used for the importation of off road vehicles.

Requirements

- Complete form 3520-21 as applicable, declaring box 1 for 2006 or later model year certified vehicles. If the off road/recreational vehicle was manufactured before January 1, 2006 and is not a 2006 or later model then declare box 17, attaching proof that the vehicle was manufactured in 2005 or earlier and is a 2005 or earlier model and lacks safety or other features required for safe and practical street operation including evidence of inordinate size or weight preventing highway use.

Restrictions

- Any 2006 or later model year vehicle must be in accordance with 40 CFR 1051.
- Not for use by racing vehicles; and
- Vehicle may not be registered or licensed for use on or operated on the public roads or highways. If an imported non-road vehicle is subsequently converted to a motor vehicle and registered or licensed for street use, the converter may be considered a manufacturer of a new motor vehicle and subject to a penalty of \$25,000 per day for failing to meet EPA emission requirements.

d. Racing vehicle

The vehicle has in general been extensively modified for racing, and is incapable of safe and practical street or highway use because it lacks features associated with safe and practical street or highway use, such features including, but not being limited to, a reverse gear (except in the case of motorcycles), a differential, or safety features required by state and/or Federal law. Anyone may import a racing vehicle without a Customs bond required by EPA; however, written EPA approval must be obtained before clearance at Customs.

Requirements

- **You must first receive EPA's approval. Not all vehicles used in races are excluded from emissions compliance.** Determinations are based on the capability of the vehicle, not its intended use. Importer must submit the following information when applying:
 1. importer's name, address, and daytime telephone number;
 2. vehicle information (make, model, model year and VIN);
 3. a list of racing features (features that make the vehicle a racing vehicle);
 4. a list of street features lacking (features that have been removed or have never been installed that would permit safe driving on streets or highways);
 5. at least 4 photographs showing the front, rear, and each side view; and if a vehicle with an interior, photographs of the interior;
 6. the name of the sanctioning body and competition class;
 7. a schedule of racing events, including dates and locations where the vehicle will participate;
 8. a copy of the competition racing license; and
 9. other proof that the vehicle cannot be used on streets and highways, such as a letter from a state's Department of Motor Vehicles that explains the vehicle cannot be licensed for use on public roads, and explains why it cannot be licensed.
- Importer must file with Customs, upon entry, an EPA Form 3520-1 declaring code "L" and attach EPA letter of approval; and
- Importer should keep a copy of the EPA approval letter for future proof of EPA exclusion.

Restrictions

- Vehicle may not be registered or licensed for use on or operated on the public roads or highways; and
- If an imported racing vehicle is subsequently converted to a motor vehicle and registered or licensed for street use, the converter may be considered a

manufacturer of a new motor vehicle and subject to a penalty of \$25,000 per day for failing to meet EPA emission requirements.

e. Unregulated Fuel Vehicle

The vehicle runs solely on an unregulated fuel. Regulated fuels are typically gasoline, diesel, ethanol, methanol, CNG, or LPG (including propane) fuels. For 2004 and later model years, only fuel cell and electric vehicles are unregulated. Prior to 2004 model year, an exempt fuel vehicle will operate solely on fuel:

1. other than gasoline or diesel fuel for model years earlier than 1991,
2. other than gasoline, diesel, ethanol, or methanol fuel for 1990-1996 model years,
3. other than gasoline, diesel, ethanol, methanol, CNG, or LPG (including propane) for 1997 and later model years.

A dual-fueled or multi-fueled vehicle (such as one that can run on either gasoline or propane) is regulated if it is capable of running on a regulated fuel.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "Y".
 - Converting or re-converting a vehicle that runs solely on an unregulated fuel to run on a regulated fuel without a proper certificate of conformity from EPA is a violation of the Clean Air Act.
-

2. Temporary Importations

Vehicles and engines imported into the U.S. temporarily may be eligible for an exemption from complying with Federal emission requirements. However, **vehicles imported for the purpose of conversion to meet Federal emission requirements must be imported by an ICI** (see Permanent Importations: Non U.S. Versions - "Importations by an ICI"). After the purpose of the exemption has been satisfied, the vehicle must be exported or destroyed. The period of the EPA exemption is the same as that authorized by U.S. Customs for the entry. There are six types of temporary importation exemptions. Below is a description of each type of exemption along with the requirements you must meet when applying for a specific exemption, and the restrictions that will apply to your vehicle.

a. Repair/Alteration

The vehicle is imported solely for repair or alteration. Anyone may import a vehicle for repair or alteration; however, a Customs bond is required and written EPA approval must be obtained before clearance at Customs.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "G"; and
- Importer must post a bond with U.S. Customs
- Importer should keep a copy of the EPA approval letter for future proof of EPA exclusion.

Restrictions

- Repair/Alteration exemptions may not be used for the purposes of converting vehicles to meet Federal emission requirements, or for storing vehicles (e.g., temporary storage pending conversion or exportation);
- Vehicle may not be operated on public roads or highways in the U.S. **(NOTE: If driving vehicle on roads is a necessary part of a testing program, see Temporary Importations: "Testing");**
- Vehicle may not be sold or otherwise transferred to another party in the U.S.; and
- Vehicle must be exported after the repair or alteration, or upon expiration of the exemption, whichever comes first.

b. Display

The vehicle is imported solely for display. Anyone may import a vehicle for a legitimate display purpose as determined by EPA; however, EPA requires a Customs bond and written EPA approval must be obtained before clearance at Customs. Generally, a legitimate display purpose is in the interest of the general public (e.g., display in a public museum, display at a charity event) or a business (e.g., to test the market for a new product). The use of this exemption for private purposes is not permitted, and offering a nonconforming vehicle for sale, as a gift, or as a prize in the U.S. is a violation of the Clean Air Act.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "K"; and
- Importer must post a bond with U.S. Customs.
- Importer should keep a copy of the EPA approval letter for future proof of EPA exclusion.

Restrictions

- Vehicle may not be operated on public roads or highways in the U.S., except for that operation necessary for the display purpose (e.g., filming of vehicle for a movie or advertisement). However, the vehicle must be transported to the display location (e.g. the film/advertisement studio) without driving on the public roads. If vehicle must be driven for the purpose of testing (e.g., demonstrating a brake system), importer must import the vehicle under the sections Temporary Importations: "OEM Testing" or "Testing Exemption", as applicable;
- Vehicle may not be sold in the U.S., or used for selling (i.e., taking orders for) similar vehicles in the U.S.;
- Vehicle may not be offered as a gift or prize in the U.S.; and
- Vehicle must be exported or destroyed at the end of the display purpose, or expiration of the exemption, whichever comes first.

c. Testing

The vehicle or engine is being imported for testing purposes involving research, investigations, studies, demonstrations or training. The vehicle or engine may be operated on public roads provided such operation is an integral part of the test program. Anyone may import a vehicle for testing purposes; however, EPA requires a Customs bond and written EPA approval must be obtained before clearance at Customs.

The importer carries the burden of proving that the proposed test program constitutes an appropriate basis for an exemption, and must satisfy all the requirements of 40 CFR 85.1705.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "I"; and
- Importer must post a bond with U.S. Customs.
- Importer should keep a copy of the EPA approval letter for future proof of EPA exclusion.

Restrictions

- Vehicle may be driven on public roads and highways in the U.S. only as an integral part of the test program;
- Vehicle may not be sold or otherwise transferred to another party in the U.S.; and
- Vehicle must be exported or destroyed at the end of the test purpose, or expiration of the exemption, whichever comes first.

d. Diplomat

The vehicle is being imported by a member of the armed forces of a foreign country, or a representative of an international organization, or personnel of a foreign government on assignment in the U.S. who comes within the class of persons for whom free entry has been authorized in writing by the U.S. Department of State; or the vehicle is being imported temporarily for personal use by a member of the armed forces of a foreign country and has official orders for duty in the U.S. Neither Customs bond nor EPA approval is required.

Requirements

- Importer must file with Customs, upon entry, an EPA Form 3520-1 declaring code "N"; and
- A copy of the U.S. Department of State authorization, or orders for duty in the U.S. for members of the armed forces of foreign countries, must be attached to Form 3520-1. **Documents from foreign governments or other U.S. agencies are not acceptable, except for orders for duty in the U.S. for members of the armed forces of foreign countries.**

Restrictions

- Vehicle may not be sold or otherwise transferred to another party in the U.S., unless the new owner also has the required U.S. Department of State authorization, or orders for duty in the U.S. for members of the armed forces of foreign countries, and the new owner submits a new EPA Form 3520-1 to U.S. Customs; and
- Vehicle must be exported at the end of the authorizing assignment, or U.S. Department of State authorization for free entry of vehicle, whichever comes first. Alternately, an Independent Commercial Importer (ICI), may bring the vehicle into compliance with Federal emission requirements. (The ICI must follow the same requirements as if the ICI were importing the vehicle at the time the ICI takes possession of the vehicle; See Permanent Importations: Non U.S. Versions - "Importations by an ICI")

e. Nonresident

The vehicle is temporarily being imported by a nonresident for personal use by the importer. Only individual nonresidents may import a vehicle through a nonresident exemption. There is no Customs bond required; However, EPA requires written approval must be obtained before clearance at Customs.

Requirements

- Importer must file with U. S. Customs, upon entry, an EPA Form 3520-1 declaring code "O"
 - Importer must qualify to be a nonresident according to Customs requirements;
 - Vehicle may not be sold or otherwise transferred to another party in the U.S.;
 - Vehicle must be used primarily for personal use by the importer while in the U.S.;
 - Use of this exemption is prohibited if the vehicle is to be used primarily to conduct business, or for principle use by persons other than the importer (or spouse of the importer); and
 - Vehicle must be exported after one year, or upon the nonresident departing the U.S., whichever comes first.
-

3. Permanent Importations

a. U.S. Version Vehicles

(1) What are U.S. Version Vehicles?

U.S. version vehicles are vehicles that were: (1) manufactured in conformity with Federal emission requirements, (2) manufactured in accordance with a specific EPA certificate of conformity, and (3) manufactured with a U.S. emissions compliance label in the engine compartment that identifies them in the English language as conforming to all EPA requirements (see "How to Find the Vehicle Emissions Label"). Many U.S. version cars and light-duty trucks built since the mid 1970s and almost all U.S. version cars and light-duty trucks built since 1980 were originally manufactured with a catalytic converter and/or oxygen sensor.

Not all vehicles equipped with catalytic converters are certified U.S. version vehicles. For example, virtually all catalyst equipped vehicles marketed by manufacturers for sale in Europe are not certified U.S. versions. For a vehicle to be eligible for importation as a U.S. version vehicle, it must have a manufacturer-equipped EPA emissions label in the English language in the engine

compartment (or on the frame of a motorcycle, or on the block of a heavy-duty engine), or it must be accompanied by a letter from the U.S. representative of the manufacturer that states the vehicle was originally manufactured to be a U.S. certified version or subsequently converted to conform to EPA requirements. Otherwise, the vehicle will be considered by EPA to be a non-U.S. version vehicle (see "Non U.S. Version Vehicles").

(2) Why Does EPA Restrict the Importation of U.S. Version Vehicles?

EPA must enforce certain requirements to restrict the importation of U.S. version vehicles in which the engine or emissions related components may have been removed, changed, altered, damaged, or contaminated (i.e., with the use of leaded gasoline).

EPA's regulations generally require that the catalytic converter, or catalytic converter and oxygen sensors (as applicable) be replaced in U.S. version vehicles that may have been contaminated with leaded gasoline overseas. The use of leaded fuel in a vehicle equipped with a catalytic converter will affect the ability of the catalyst and oxygen sensors to effectively reduce emissions. In many overseas countries, unleaded fuel is not yet widely available. Also, the vehicle's fuel filler inlet restrictor will have to be replaced if it has been removed or altered to help prevent future filling of the vehicle with leaded fuel.

(3) What You Should Know Before Shipping a U.S. Version Vehicle Overseas

(a) If you believe that unleaded gasoline may not be available in all areas that the vehicle will be driven, you may obtain authorization from EPA to remove the catalyst and oxygen sensors before the vehicle is shipped overseas. Removing the catalyst and oxygen sensors prior to shipping the vehicle overseas protects them from possible contamination from leaded gasoline. The catalyst and oxygen sensors must then be reinstalled when the vehicle returns to the U.S. To obtain EPA authorization to remove the catalyst and oxygen sensors, call the Air Enforcement Division at (202) 564-2417.

(b) EPA has determined that unleaded gasoline is widely available in certain countries: Canada, Mexico, Japan, Australia, Taiwan, Bahama Islands, Western Europe, Hong Kong and South Korea. (Western European countries include Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden Switzerland, and United Kingdom). This list is not inclusive. The vehicle owner is responsible for determining whether unleaded gasoline is readily available in those locations in which the owner intends to operate the U.S. version vehicle.

(4) EPA Requirements for Importing a U.S. Version Vehicle

U.S. version vehicles that have been driven overseas are subject to Federal emission requirements upon importation into the U.S. Below is a description of the requirements and restrictions that will apply when importing your vehicle.

(a) VEHICLE NOT MODIFIED OR ALTERED

The U.S. version vehicle has not been modified or altered.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "B"; and
- Importer must be able to demonstrate the vehicle is a U.S. version, upon request by U.S. Customs or EPA.

Restrictions

- None

(b) CATALYST, OXYGEN SENSORS, OR FILLER NECK RESTRICTOR REMOVED OR ALTERED

The U.S. version vehicle has had its catalyst, oxygen sensors, or filler neck restrictor removed or altered.

Requirements

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "F"; and
- The importer must reinstall or replace the catalyst or oxygen sensors or fuel filler neck restrictor, as applicable, after the vehicle is imported.
- If leaded gasoline was used, the importer must, after importation,
 1. Drain the fuel tank and refill it with unleaded gasoline, and
 2. Replace the catalyst and oxygen sensors, if they were left on the vehicle during use of the leaded gasoline.
- Importer must be able to demonstrate the vehicle is a U.S. version, upon request by U.S. Customs or EPA.

Restrictions

- None

b. Canadian Vehicles

Canadian vehicles are certified to Canadian requirements and originally manufactured for sale in Canada (regardless of the country in which they were produced). While many are manufactured to be identical to U.S. certified vehicles with respect to emissions requirements (especially beginning with the 1988 model year), they may be manufactured without a U.S. emissions compliance label identifying them as conforming to U.S. EPA requirements (see How to Find the Vehicle Emissions Label). If your vehicle contains such a label, it may be imported as a U.S. version vehicle (see U.S. Version Vehicles). If your vehicle does not contain such a label, you must import your vehicle according to one of the options described below.

NOTE: These options relate only to compliance with EPA requirements. Your vehicle may also be subject to requirements of the U.S. Department of Transportation, such as lighting and passive restraints, and to the gas guzzler tax of the Internal Revenue Service.

Canadian vehicles imported into the U.S. are categorized as either identical to U.S. version vehicles or not identical to U.S. version vehicles with regard to emissions requirements.

(1) Identical to U.S. Version

The Canadian vehicle is identical, in all material respects to a U.S. version vehicle identified in an original equipment manufacturer's (OEM's) EPA certification application. Anyone may import a Canadian vehicle identical to a U.S. version vehicle without a Customs bond required by EPA and without EPA approval if the vehicle meets one of the following conditions:

1. the vehicle is a 1988 to 1995 or 1998 to present model year Canadian LDV (passenger car), LDT (including pickup trucks and vans having GVWR of 8500 pounds or less), or HDGE (not motorcycles or HDDEs); or
2. Importer has a letter from the U.S. representative of the OEM stating that when manufactured, the vehicle met all U.S. emission requirements, except possibly for labeling or warranty; or
3. the vehicle is on the EPA list of vehicles considered to be identical to U.S. version vehicles: [List of Canadian Vehicles Considered by EPA to Conform with U.S. Emissions Requirements](#).

Requirements

- Importer for personal use must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "EE" and if condition 2 above is applicable, attach the letter from the OEM's U.S. representative.
- Importer for resale must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "FF" and if condition 2 above is applicable, attach the letter from the OEM's U.S. representative.

Restrictions

- None

NOTES:

1. **Generally, EPA only accepts compliance information from the OEM's U.S. representative. However, as an exception to this rule, statements of conformity will be acceptable to EPA as evidence of conformity from OEM Canadian representatives if they are signed by a representative of the vehicle emission compliance department. You should notify the OEM that your Canadian vehicle is being moved to the U.S., so that you may receive any future maintenance or recall notices that may be distributed by the OEM.**

(2) Not Identical to U.S. Version

The Canadian vehicle was not manufactured by the OEM to be identical in all material respects to a vehicle certified for sale in the U.S. The vehicle may be imported without a Customs bond required by EPA through one of the following four exemptions.

(a) 21 OP years old or older

The Canadian vehicle is 21 original production (OP) years old or older (OP years = the calendar year the vehicle was manufactured subtracted from the calendar year the vehicle was imported) and in original unmodified configuration. There is no Customs bond required by EPA, nor any written EPA approval.

Requirements

- Importer must be prepared to demonstrate to U.S. Customs, upon entry, or to EPA, the vehicle is 21 OP years old or older. Generally, the vehicle's Canadian registration or title is adequate proof.

- Importer must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "E".

Restrictions

- The vehicle must be in its original unmodified configuration.
- Vehicles at least 21 years old with replacement engines are not eligible for this exemption unless they contain equivalent or newer EPA certified engines.

(b) Immigrant, worker or student exemption

The vehicle is being imported by any person either with permanent Canadian immigrant status, or with Canadian worker or student status for greater than one year. No Customs bond is required by EPA. Written EPA approval is not required. **The immigrant exemption should not be used if the vehicle is identical to a U.S. version vehicle. All 1988 to 1995 and 1998 to present model year cars and light-duty trucks (pick-ups and vans under 8500 GVWR) are considered identical by EPA (see "Identical to U.S. Version" above).**

Requirements

- Importer must offer documented proof that he/she has obtained permanent Canadian immigrant status or Canadian worker or student status in the U.S. for greater than one year (for periods up to a year, we recommend that eligible importers obtain a nonresident exemption, EPA Form 3520-1 code "O" from Customs).
- Importer must prove that the vehicle is Canadian by attaching one of the following to the EPA Form 3520-1:
 - a. Copy of Canadian registration or title for the vehicle; or
 - b. a letter from the manufacturer's U.S. or Canadian representative (for a list see [Manufacturer's U.S. Representatives](#)) which states that the vehicle was manufactured to comply with the applicable Canadian emission requirements; or
 - c. a sales receipt showing that the vehicle was purchased from a Canadian dealership and was new at the time it was purchased.
- Importer must attach to the EPA Form 3520-1 proof that the importer owned the vehicle prior to moving to the U.S. The vehicle's Canadian title or registration in the name of the importer is considered adequate proof.
- Immigrant must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "M", and attach the required documents.

Restrictions

- None

(c) Inheritance exemption

U.S. resident has obtained a vehicle from a Canadian resident by inheritance.

- Recipient of vehicle must attach the following to the EPA Form 3520-1:
 1. Proof (e.g. will) that the vehicle was obtained from a Canadian resident by inheritance.
 2. proof that the vehicle is Canadian and that the Canadian resident purchased the vehicle for their own use. Copy of the vehicle's Canadian title or registration in the name of that Canadian resident is adequate proof.
- Owner or recipient of vehicle must file with U.S. Customs, upon entry, an EPA Form 3520-1 declaring code "M", and attach the required documents.

Restrictions

- None

(d) Other exemptions

Canadian vehicles or importers of Canadian vehicles also have the same options as for non-Canadian vehicles.

See Non-U.S. Version Vehicles for more importation options if Canadian vehicle is not identical to U.S. version and is not yet 21 years old, and importer lacks Canadian immigrant, worker, or student status. Specifically, see Non-U.S. Version Vehicles subsections:

(2)(b) Hardship exemption

(2)(d) Modified to be identical to U.S. version vehicles

(3) Importation by an ICI

c. Non-U.S. Version Vehicles

Non-U.S. version vehicles are nonconforming vehicles that were: (1) not manufactured in conformity with Federal emission requirements, or (2) not manufactured in accordance with a specific EPA certificate of conformity, or (3) not manufactured with a U.S. emissions compliance label in the engine compartment that identifies it in the English language as conforming to all EPA requirements. Non-U.S. version vehicles also include any vehicle originally manufactured as a U.S. version vehicle but that has been altered such that it is no longer in an EPA certified configuration (i.e., modifications or alterations or substitutions of the engine, emission control system, transmission, transaxle, differential, fuel system, or any other feature that defines the exact vehicle configurations that were certified by the manufacturer). Importers with a modified or altered U.S. version vehicle may enter the vehicle as a non-conforming vehicle under the requirements of this section. Also, non-U.S. version vehicles proven to be identical to U.S. certified version vehicles (e.g., many Canadian vehicles) may be eligible for an exemption under the following sections "(c) Identical to U.S. Version Vehicles" or "(d) Modified to be Identical to U.S. Version Vehicles", or under "Identical to U.S. Version" in the "Canadian Vehicles" section.

(1) EPA's Policy

The regulations governing EPA's program for importing non-U.S. version vehicles were originally provided for in 1972 in the Clean Air Act (Act). These regulations ensure that all imported vehicles are brought into conformity with applicable emission standards. Section 203 of the Act prohibits importing any motor vehicle or motor vehicle engine not covered by a certificate of conformity unless it is exempted by EPA or otherwise authorized jointly by EPA and Customs.

The authority to allow the importation of nonconforming vehicles is discretionary with EPA and Customs. Customs will not permit admission of your vehicle until both emission (EPA) and safety (Department of Transportation) requirements for conditional admission are met, as well as all other Federal requirements. For a non-U.S. version vehicle to enter the U.S., it must be imported by either an individual who has a written letter of exemption from EPA, or by an Independent Commercial Importer (ICI), who is a private business in the U.S. that holds a valid EPA certificate of conformity. The ICI will modify and test the vehicle, as applicable, to meet the EPA emission requirements.

(2) Importation By an Individual

An individual may import a non-U.S. version vehicle only (1) if the individual qualifies for an exclusion (see Excluded Vehicles) or (2) qualifies for and obtains a written letter of exemption from EPA in which the Federal emission requirements are waived. The vehicle

may then be imported without a Customs bond required by EPA; however, the written EPA approval must be obtained before the vehicle is cleared at Customs.

There are four types of exemptions for non-U.S. version vehicles. Below is a description of each type of exemption along with the requirements you will need when importing your vehicle and the restrictions that will apply to your vehicle.

(a) 21 YEARS OLD OR OLDER EXEMPTION

The vehicle is 21 original production (OP) years old or older (OP years = the calendar year the vehicle was manufactured subtracted from the calendar year the vehicle was imported) and in original unmodified configuration.

Requirements

- Importer must file with Customs, upon entry, an EPA Form 3520-1 declaring code "E".
- Customs may require proof of age.

Restrictions

- The vehicle must be in its original unmodified configuration.
- Vehicles at least 21 years old with replacement engines are not eligible for this exemption unless they contain equivalent or newer EPA certified engines.

(b) HARDSHIP EXEMPTION

The vehicle is imported by an individual under "... unforeseen cases of extreme hardship or extraordinary circumstances (40 CFR 85.1511(c)(2))." An example of a possible hardship exemption is a disabled person who needs a special vehicle that is unavailable in a U.S. certified configuration. No customs bond is required; however, written EPA approval must be obtained before clearance at Customs.

The following circumstances are **NOT** considered by EPA to be unforeseen cases of extreme hardship or extraordinary circumstances:

- 1) the importer did not know that the vehicle needed to be converted to comply with U.S. requirements; or
- 2) the high cost of converting a non-U.S. version vehicle to meet the U.S. requirements, even if the cost exceeds the value of the vehicle; or

3) costs, losses, or other difficulties associated with poor financial judgment or the acceptance of a high level of risk (such as the purchase of a non-U.S. version vehicle, whether or not the original intent was to eventually ship it to the U.S.; difficulties in selling the non-U.S. version vehicle overseas; low resale value of the non-U.S. version vehicle that would result in financial loss if it were sold overseas; large bank or credit union loans, credit card balances or other debts, including for the non-U.S. version vehicle and other consumer products, etc.); or

4) change of geographical location caused by employment status or employer requirements, whether or not the requirement to change location of employment was given unexpectedly or with little notice; or

5) lack of cooperation from the vehicle manufacturer

Requirements

- Importer must obtain approval from EPA by submitting to EPA:
 1. The importers name, address, and daytime telephone number.
 2. Vehicle information (make, model, model year, VIN), copy of the current registration, title, or sales receipt identifying the vehicle and owner.
 3. Inclusive financial information (if applicable to the unforeseen cases of extreme hardship or extraordinary circumstances) of:
 - a. Financial assets (earnings and holdings) including, but not limited to, wages, bank accounts, bonds, stocks, real estate, etc.
 - b. Financial burden (living expenses) on a monthly or yearly basis, including but not limited to housing, food, transportation, clothes, utilities, loans, etc.
 4. A description of the need for the vehicle, including other vehicles currently owned by the immediate family and their use; why the other vehicles (if any) in the immediate family or mass transportation cannot fulfill the need; and why a "reasonable" used U.S. version vehicle cannot be purchased to fulfill the need.
 5. A description of the "unforeseen ... extreme hardship or extraordinary circumstances".
- Importer must file with Customs, upon entry, an EPA Form 3520-1, declaring code "M", and attach EPA approval letter.
- Importer should keep a copy of the EPA a approval letter for future proof of the EPA exemption.

Restrictions

- None

(c) IDENTICAL TO U.S. VERSION VEHICLES

The vehicle, prior to importation, is identical in all material respects to a vehicle identified in an original equipment manufacturer's (OEM's) certification application. No Customs bond is required by EPA. See also Canadian Vehicles, Identical to U.S. Version)

Requirements

- Importer must obtain a letter from the OEM's U.S. representative (see [Manufacturer's U.S. Representatives](#) for a list) stating the vehicle (make, model, model year, VIN), at the time of manufacture, conformed to all U.S. emission requirements applicable to the appropriate model year
- (except possibly for warranty and labeling).
- Importer must file with Customs, upon entry, an EPA Form 3520-1 declaring code "EE" and attach letter from OEM's U.S. representative.

Restrictions

- The vehicle may not be imported for the purpose of resale, except for Canadian vehicles.
- An OEM may not import a vehicle using this exemption.

NOTES:

- 1. Regardless of the requirements above being satisfied, a vehicle is not eligible for this exemption if it has been modified or altered such that the vehicle configuration is not covered under the manufacturer's certificate of conformity.**
- 2. Obtaining a letter from the OEM's U.S. representative is the responsibility of the importer. EPA does not have authority over manufacturers' non-U.S. version vehicles. Mercedes-Benz and BMW have indicated that except for their Canadian vehicles, they do not provide such letters. Other manufacturers have indicated that comparing foreign market vehicles to U.S. version vehicles is extremely difficult, or impractical. Failure to obtain such a letter is not justification for a hardship exemption.**

(3) Importation by an ICI

An ICI is an independent commercial importer that is registered with the EPA Certification and Compliance Division, and who is not the original vehicle

manufacturer (OEM), and who does not have a contractual agreement with the original manufacturer to act as its authorized representative for the distribution of vehicles or engines into the U.S. market. ICIs act independently of the OEM, but must follow the same emission requirements imposed on OEMs by the Clean Air Act. All ICIs are located in the U.S.

ICI Compliance Requirements

An ICI who imports your nonconforming vehicle is responsible for:

1. Having an applicable certificate of conformity to import your vehicle (or using your vehicle as a "prototype" to obtain the applicable certificate of conformity).
2. Entering your vehicle through U.S. Customs.
3. Performing all modifications and emission testing, if required, after the vehicle enters the United States (see "Emissions Testing" paragraph of [Introduction](#) section).
4. Reporting the modifications and testing results, if required, to EPA and holding the vehicle for 15 Federal working days beginning with the date that EPA receives this report (or longer if EPA so notifies the certificate holder). During this period and the period preceding this report, the vehicle cannot be sold, offered for sale, returned to the owner, or driven on public roads or highways (except for that driving necessary to obtain a certificate of conformity for the vehicle, if the vehicle is being used to obtain a certificate of conformity).
5. Bearing responsibility for the vehicle's compliance with emission standards over the vehicle's useful life. This includes pre-release inspections and subsequent emission recalls by EPA.
6. Ensuring that the vehicle contains an emissions label (in the name of the ICI) and vacuum hose diagram, as well as providing you with prepaid emission warranties and maintenance instructions for the vehicle (See How to Find the Vehicle Emissions Label), and
7. Performing fuel economy tests and providing you with gas guzzler tax forms.

While it is the ICI's responsibility to provide vehicle owners with fuel economy test results and gas guzzler tax forms, it is the vehicle owner's responsibility to report and pay any applicable gas guzzler taxes to the U.S. Internal Revenue Service.

Any person or business that desires to become an ICI should become knowledgeable of the requirements for ICIs (40 CFR Part 85, Subpart P) and of Certification (40 CFR Part 86), must obtain small volume manufacturer status and apply for certificates of conformity from the EPA Certification and Compliance Division in accordance with those requirements.

Vehicles That Must be Imported by an ICI

ICIs import vehicles into the U.S. for modification and testing purposes so that the vehicles, upon final admission by EPA, comply with Federal emission requirements. Whether a vehicle may be imported depends on several factors, including the year in which the vehicle will be imported and the qualifications of the ICI. First, eligibility varies from year to year depending upon the age of the vehicle. A vehicle's age is determined by subtracting the calendar year in which it was originally manufactured from the calendar year of importation. For example, a European manufactured vehicle built in 1986 and imported into the U.S. in 1996 would be ten years old. Second, the ICI has to have a currently valid certificate of conformity, and if the vehicle's age is less than six years old, the ICI must have a currently valid certificate of conformity for a vehicle specifically like yours (i.e. same make, model, model year, and engine).

Before making any purchase or shipping arrangements, you should be sure that there is an ICI who is eligible to import your vehicle and willing to import your vehicle and that you are prepared to pay the ICI charges. [List of Independent Commercial Importers](#). Vehicles required to be imported by ICIs must be entered through Customs by the ICI, not the vehicle owner, and must not be given to the vehicle owner until after the vehicle has met all EPA requirements and has been finally admitted by EPA.

There are four types of importations by ICIs. Below are descriptions of each type and a brief overview of the general requirements.

(a) VEHICLES TWENTY ONE YEARS OLD OR OLDER

Any vehicle twenty one years old or older may be imported by an ICI (as well as by individuals; see Non-U.S. Version Vehicles "(a) 21 Years Old or Older Exemption"). Modifications, testing and holding the vehicle for EPA inspection are not required.

Requirements

- ICI must validate that vehicle is at least 21 years old.
- ICI or owner must file with Customs upon entry, an EPA Form 3520-1 declaring code "E".

Restrictions

- The vehicle must be in its original unmodified configuration.
- Vehicles at least 21 years old with replacement engines are not eligible for this exemption unless they contain equivalent or newer EPA certified engines.

(b) MODIFICATION & TESTING OF VEHICLES 6 OP YEARS OR OLDER

The vehicle is being imported by an ICI for modification and testing purposes to comply with Federal emission requirements and is at least 6 OP years or older. No bond is required by EPA, nor is written EPA approval required.

Requirements

- ICI must have any currently valid certificate of conformity.
- ICI must file with Customs, upon entry, an EPA Form 3520-1 declaring code "C" .
- ICI must bring the vehicle into compliance with Federal emission requirements, including passing the Federal emissions test for every vehicle.
- ICI must submit Application for Final Admission to EPA and hold vehicle for 15 Federal working days (or more if required by EPA) after submitting application.

Restrictions

- Vehicle must not be driven on public roads or highways until after final admission by EPA.
- Vehicle must not be given to owner (for use or storage) until after final admission by EPA.

(c) MODIFICATION & TESTING OF VEHICLES LESS THAN 6 OP YEARS

The vehicle is being imported by an ICI for modification and emission testing purposes in order to comply with Federal emission requirements and is less than 6 OP years old. No Customs bond is required, nor is written EPA approval required.

Requirements

- ICI must already have an EPA certificate of conformity for the specific model year, make, model, and engine of the vehicle (e.g., 1990 Mercedes-Benz 500) it desires to import, or ICI must use the vehicle as a prototype to obtain the necessary certificate of conformity.
- ICI must file with Customs, upon entry, an EPA Form 3520-1 declaring code "A" (or code "J" if vehicle is being used as a prototype to obtain a certificate of conformity).
- ICI must bring vehicle into compliance in accordance with certificate of

- conformity.
- ICI must Federal emissions test every third vehicle imported under a certificate of conformity to demonstrate compliance with Federal emission standards.
- ICI must submit Application for Final Admission to EPA and hold vehicle for 15 Federal working days (or more if required by EPA) after submitting application.

Restrictions

- Vehicle must not be driven on public roads or highways (except for that driving necessary to obtain a certificate of conformity) until final admission by EPA.
- Vehicle must not be released to the owner (for use or storage) until after final admission by EPA.

(d) MODIFICATION TO OEM CERTIFIED VERSION

The vehicle is being imported by an ICI for modification purposes to be identical to an OEM certified version in accordance with written instructions from the U.S. representative of the OEM that are specific to the vehicle. No Customs bond is required, nor is written EPA approval required.

Requirements

- ICI must obtain copy of the modification instructions from the U.S. representative of the OEM prior to importation
- ICI must file with Customs, upon entry, an EPA Form 3520-1 declaring code "Z".
- ICI must attach a copy of the OEM instructions to EPA Form 3520-1.
- ICI must modify vehicle in accordance with the OEM instructions.
- ICI must submit Application for Final Admission to EPA and hold vehicle for 15 Federal working days (or more, if required by EPA) after submitting Application.

Restrictions

- Vehicle must not be driven on public roads or highways until after final admission by EPA
- Vehicle must not be given to owner (for use or storage) until after final admission by EPA.

NOTES:

- 1. Regardless of the requirements above being satisfied, a vehicle is not**

eligible for this exemption if it has been modified or altered such that the vehicle configuration is not covered under the manufacturer's certificate of conformity.

- 2. Obtaining a letter from the OEM's U.S. representative is the responsibility of the importer. EPA does not have authority over manufacturer's non-U.S. version vehicles. Mercedes-Benz and BMW have indicated that, except for their Canadian vehicles, they do not provide such letters. Other manufacturers have indicated that comparing foreign market vehicles to U.S. version vehicles is extremely difficult, or impractical. Failure to obtain such a letter is not justification for a hardship exemption.**

SECTION C

ATTACHMENTS

NON-EMISSION REQUIREMENTS

This manual describes only the EPA requirements, that is, only those related to the Federal emissions requirements. Importers of vehicles must also comply with the requirements of other Federal Agencies (e.g., Department of Transportation for safety requirements, IRS for gas guzzler taxes, U.S. Customs Service for tariffs, duties, etc.) as well as those of the state and local governments. EPA letters of approval or exemption are not intended to satisfy other non-emission Federal agency requirements, or any emission or non-emission requirements of State or local governments. Below is a list of contacts for other Federal requirements.

Customs

Questions regarding the importation of your vehicle should be directed to the Customs port where your vehicle will be entered.

Safety

For information on Federal safety requirements contact:

U.S. Department of Transportation
400 7th Street, S.W.
Room 6115
Washington, DC 20590
(202) 366-5313

Gas Guzzler Tax

A "Gas Guzzler Tax" may need to be paid on your vehicle. These taxes range from \$500 to \$3,850 per vehicle. For more information, contact:

Internal Revenue Service
Public Affairs Office
1111 Constitution Avenue, N.W.
Washington, DC 20224
(202) 622-4920

State Requirements

1. California Emission Requirements

The State of California has its own program for regulating the importation of nonconforming vehicles that are sold, registered, or operated in California. If you are a resident of, principally drive your car in, register or intend to sell vehicles in the State of California, **you will need to comply with California's emission requirements in addition to the Federal emission requirements.** For more information on California's requirements, contact:

State of California
Air Resources Board
Mobile Source Control Division
9528 Telstar Avenue
El Monte, CA 91731
(818) 575-6858

2. Proof of Federal Emission Compliance

Many State Department of Motor Vehicles (DMVs) require documentation indicating that Federal emission requirements have been met and proof of ownership before registration and/or titling of the vehicle will be permitted. EPA has indicated to representatives of State DMVs that the following documentation would be sufficient in order to show that a vehicle being imported under the EPA imports program meets Federal emission requirements:

- a. a copy of the EPA Form 3520-1 submitted to Customs, and
- b. for vehicles entered by ICIs, a verification letter from EPA which states that all applicable emission requirements have been met. To obtain such a letter, call (202) 564-9660.
- c. for vehicles granted prior approval or exemption, a copy of the EPA letter of Prior Approval or exemption.

3. Proof of Gas Guzzler Payment

Some states may require proof of payment of the gas guzzler tax, if applicable to your vehicle (for more information on this tax, see section "Gas Guzzler Tax").

4. Inspection/Maintenance Requirements

Your state may operate an Inspection/Maintenance (I/M) program which is designed to satisfy the state's requirement for reducing excess emissions caused by vehicles that are not properly tuned or are in need of repair. Because I/M programs are customized to the needs of each local area, you should contact your local I/M office for more information on its requirements. A state test is not the same as a Federal test, and **EPA will not accept state test results to satisfy Federal requirements (see "Emissions Testing" paragraph of [Introduction](#) section).**

Telephone: (202) 564-9660,
8:30am-4:30pm Eastern U.S. time, Monday-Friday
Fax: (202) 565-2057, 24 hours every day

Regular, certified or registered mail at:
U.S. Environmental Protection Agency
Certification and Compliance Division,
Imports Program (6405J)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

*For delivery by a courier service
(e.g., Federal Express, Airborne, etc.) only,
use the following address:*
U.S. Environmental Protection Agency
Certification and Compliance Division,
Imports Program (6405J)
501 3rd Street, N.W.
Washington, D.C. 20001

When calling EPA concerning a particular vehicle, please have ready the make, model, model year and vehicle identification number (VIN) of your vehicle (from the registration card) and, if it has already been imported, the importer of record, the port of entry, date of entry and entry number (from the EPA form 3520-1, which you can only get from the port of entry and which you should keep a copy for your records). When writing or faxing to EPA, include this information, plus a telephone number (with area code) where you can be reached during the day.

The Environmental Protection Agency has installed an automated information and faxback system on (202) 564-9660 to improve our service to the public. The information installed in that system is the same information that is contained in this manual. If you reach the automated system, but have questions this manual does not answer, the automated system will allow you to speak to one of EPA's Imports Specialists. You should dial (202) 564-9660 (between the hours of 8:30am-4:30pm Eastern U.S. time Monday through Friday) and select the option for importation issues. You may then select the option to speak to one of the EPA Imports Specialists. However, due to EPA's limited operating budget, you should be prepared for busy lines and times for which no Imports Specialists are available. In such a case, EPA suggests that you fax your requests to (202) 565-2057.