

# 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** Form 3520-1  
 United States Environmental Protection Agency  
 Department of Motor Vehicle and Traffic Services  
 Bureau of Motor Vehicle Administration  
 400 North Capitol Street, N.W., Washington, D.C. 20541

**A. General Information**  
 Make: \_\_\_\_\_  
 Model: \_\_\_\_\_  
 Year: \_\_\_\_\_  
 Vehicle Identification Number (VIN): \_\_\_\_\_  
 Gross Vehicle Weight Rating (GVWR): \_\_\_\_\_  
 Gross Vehicle Weight (GVW): \_\_\_\_\_

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

**C. Declaration**  
 I, the undersigned, being duly authorized to execute this declaration on behalf of the manufacturer, hereby declare that the vehicle described herein complies with the applicable Federal Motor Vehicle Administration (FMV) emissions and noise control regulations, and that the vehicle is not a motor vehicle as defined in 49 CFR 571.3. I further declare that the vehicle is not a motor vehicle as defined in 49 CFR 571.3. I further declare that the vehicle is not a motor vehicle as defined in 49 CFR 571.3.

**D. Signature**  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

**E. Remarks**  
 \_\_\_\_\_

## 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?

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## **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 occurs first. A longer useful life of ten years or 100,000 miles, whichever 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