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11-00

# **HOW TO BECOME A REGISTERED IMPORTER WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

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## BACKGROUND INFORMATION

The federal motor vehicle safety standards (FMVSS) establish minimum levels of safety performance for motor vehicles and motor vehicle equipment. The National Highway Traffic Safety Administration (NHTSA) monitors the importation of foreign manufactured vehicles and motor vehicle equipment not certified to comply with the FMVSS to ensure that they are brought into compliance.

Because of the substantial number of nonconforming vehicles that were being imported and concerns that more stringent legislation was necessary to ensure these vehicles were brought into compliance with FMVSS, Congress passed the Imported Vehicle Safety Compliance Act of 1988 (the Act), which was enacted on October 31, 1988 (Public Law 100-562). The effective date of the Act for vehicle importation was January 31, 1990. The objective of the Act is to ensure that vehicles and vehicle equipment imported for use on the U.S. highways will be brought into compliance with applicable FMVSS. In 1994, the Act was recodified as 49 U.S.C. 30141-7 (Chapter 301 - Motor Vehicle Safety; Subchapter III - Importing Noncomplying Motor Vehicles and Equipment). The Safety Act was recodified as 49 U.S.C. 30101-69, (Chapter 301 - Motor Vehicle Safety).

49 U.S.C. 30141 contains several requirements, which were new to the importation of nonconforming motor vehicles and equipment. 49 U.S.C. 30141 established a new category of importers, Registered Importers (RIs), for processing noncomplying, or gray market vehicles, i.e., vehicles that are not certified by their original manufacturer as complying with FMVSS. Individuals may still import vehicles for personal use if they have a contract with an RI to bring their nonconforming vehicles into compliance. 49 U.S.C. 30141 provided that fees were to be established to cover the Government's direct and indirect costs for activities associated with the importation program. Another new requirement was the provision for vehicle eligibility determinations. An RI petitions the agency to allow entry of a vehicle not previously determined eligible for importation. The petition is made, as required by statute, on the basis that the vehicle is substantially similar to a vehicle which was originally manufactured for importation into and sale in the United States and which was certified by its manufacturer as complying with applicable FMVSS, and that it is capable of being readily modified to comply to all applicable FMVSS. Alternatively, where there is no substantially similar U.S. model, the petition is made on the basis that the vehicle has safety features that comply with, or are capable of being modified to comply with, all applicable FMVSS. The RI identifies the basis for the entry and describes plans for modifying the vehicle to bring it into compliance. The petitions are reviewed and, if meeting the requirements for a petition as specified in 49 CFR 593, published in the **Federal Register** for comment. After a review of the comments, the agency decides if the vehicle is eligible for importation. If NHTSA decides the vehicle is eligible for importation the RI is notified that it can make the required modifications and submit the certification file to NHTSA for approval. If a vehicle already has an eligibility number, the RI has 120 days to bring the vehicle into conformity and submit a vehicle compliance package. The RI must hold the vehicle

for 30 days after submission of the vehicle compliance package unless it receives prior approval from NHTSA that the vehicle may be released for titling or use on the highway.

In implementing 49 U.S.C. 30141, a surety bonding system was established in which special purpose bonds must be furnished to NHTSA to ensure that imported noncomplying vehicles will be brought into compliance with FMVSS, or exported or abandoned to the United States. The RI must bond the vehicle at the time of entry for 150% of its value. Importers directly pay NHTSA the Customs cost of collecting such bond forms; Customs is subsequently reimbursed by NHTSA.

49 U.S.C. 30141 provided for the establishment of various importation regulations. A total of four regulations were promulgated to implement 49 U.S.C. 30141. These regulations are found in the Code of Federal Regulations, 49 CFR Parts 400-999. These regulations are summarized below.

#### **49 CFR 591**

Establishes procedures governing the importation of motor vehicles and motor vehicle equipment subject to Federal motor vehicle safety, bumper, and theft prevention standards.

#### **49 CFR 592**

Establishes requirements for persons wishing to be RIs of vehicles not originally manufactured to conform to the FMVSS.

#### **49 CFR 593**

Establishes procedures for making determinations that a vehicle not originally manufactured to conform to the FMVSS is eligible for importation.

#### **49 CFR 594**

Establishes fees, authorized by 49 U.S.C. 30141, associated with the importation program.

Two working forms have been designed, printed, and distributed to Customs ports and districts to implement the import requirements. They are:

#### **HS-7**

*Importation of Motor Vehicles and Motor Vehicle Equipment Subject to Federal Motor Vehicle Safety, Bumper, and Theft Prevention Standards* (HS-7 Declaration form). The HS-7 provides check off boxes for 11 different allowable conditions of entry. A 12th box is reserved for future use. Vehicles entered under the RI program are entered as Box 3 on the HS-7. A 4-part carbon interleaf format is used in order to provide copies to NHTSA,

Customhouse Broker, Importer, and Customs. If entries are made using a Customhouse Broker they may be filed electronically.

## **HS-474**

*Bond to Ensure Conformance with Motor Vehicle Safety and Bumper Standards*, Section 591.5(f); for use by RIs or individuals with a contract with an RI. HS-474 was issued to provide a means of documenting the surety bonds to be furnished by RIs and importers having contracts with RIs (Box 3 on HS-7). The bond format is similar to that of the Customs bond with which all experienced vehicle importers and customhouse brokers are familiar. Any surety company, which is authorized by the Treasury Department to issue Customs bonds, may also issue NHTSA bonds.

Persons wishing to become an RI must follow the procedures specified in 49 CFR 592. RIs must have an adequate record keeping system and allow inspection of records and facilities relating to the motor vehicles that they import and/or modify. They must also certify and demonstrate to NHTSA that the vehicles have been brought into compliance, and provide assurance that they will be technically and financially able to carry out noncompliance and defect notification and remedy responsibilities, should they arise. Their financial ability to conduct recalls must be demonstrated by a recall service insurance policy for each vehicle imported. More information on the duties of an RI may be found at our web page [www.nhtsa.dot.gov/cars/rules/maninfo/](http://www.nhtsa.dot.gov/cars/rules/maninfo/).

49 U.S.C. Chapter 301 - *Motor Vehicle Safety*, as amended November 1, 2000, provides that whoever violates the safety regulations will be subject to a civil penalty not to exceed \$5,000 for each violation, or \$15,000,000 for a related series of violations. Civil penalties can and will be imposed if an RI fails to adhere to the requirements. For this reason an RI must read and adhere to 49 CFR 400-499. Guidance may also be provided in newsletters.

Failure to provide information requested under authority of 49 U.S.C. 30166 may result in a penalty of up to \$5,000 a day, up to \$15,000,000 for any related series of violations.

At time of application the applicant must be familiar with the FMVSS and 49 CFR 491-494. There will be a quiz on selected topics. After you become an RI, you will be required to submit acceptable samples of your certification labels before you are permitted to import a vehicle.

## REGISTERED IMPORTER (RI) APPLICATION CHECK LIST

Below is the information that should be included in your letter of application. Submit one copy of the required documents as follows:

### LETTER-592.5(a)

- \_\_\_\_\_ (1) Heading worded as Application for Registration as Importer® (written in English)
- \_\_\_\_\_ (2) Name, address, Telephone number and title of preparer of application.
- \_\_\_\_\_ (3) Names of all owners, partners, shareholders, or sole proprietor.
- \_\_\_\_\_ (4) If a corporation, list owners with 10% or more ownership.
- \_\_\_\_\_ (5) Statement that registration has not been revoked pursuant to 592.7
- \_\_\_\_\_ (6) Statement that a cashier's check or certified check payable to the Treasurer of the United States is enclosed (see page 13 for correct amount).
- \_\_\_\_\_ (7) Statement that a safety Recall Service Contract with notarized signatures is enclosed.
- \_\_\_\_\_ (8) Explain record keeping for recall notification, financial ability to repurchase vehicles and technical ability to remedy a noncompliance.
- \_\_\_\_\_ (9) State if any part of the submission is confidential.
- \_\_\_\_\_ (10) State you will comply with all duties of RI per Part 592.6.
- \_\_\_\_\_ (11) Applicant's signature notarized.

### ENCLOSURES:

- 1. \_\_\_\_\_ One narrated 8 mm video tape (*NOT A VHS TAPE*) of your facilities. This video must include the office area with the computer, 49 CFR Parts 400-999 and other office equipment as required, the outside of the building with a secure vehicle storage area, and the inside of the maintenance/modification area.
- 2. \_\_\_\_\_ Address, phone, fax, and E-mail of company office and modification facility.
- 3. \_\_\_\_\_ Broker(s) with name(s) and telephone number(s).
- 4. \_\_\_\_\_ Type of vehicles that your company will modify.
- 5. \_\_\_\_\_ Proof of 49 CFR Parts 400-999 ordered, if not in video.
- 6. \_\_\_\_\_ Cashier's check or certified check (**see page 13**) made payable to the Treasurer of the United States.
- 7. \_\_\_\_\_ Safety Recall Service Contract with notarized signatures.
- 8. \_\_\_\_\_ Proof of ownership of facility or lease agreement for the facilities.
- 9. \_\_\_\_\_ Copy of business license to operate as a car dealer.

<b>NOTE:</b> The 49 CFR Parts 400-999 book can be purchased from the Government Printing Office by calling 202-512-1800.
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**NOTE: Refer to 49 CFR Part 592.5 for information needed to complete this letter.**

## **SAMPLE**

**Part 592.5(a)(1)&(2):**

### **Application for Registration as Importer**

May 1, 1997

Administrator  
NHTSA, NSA-32  
400 7th Street, SW  
Washington, DC 20590

Dear Sir:

This application is being submitted pursuant to 49 CFR Part 592, which provides for the registration of importers of motor vehicles not originally manufactured in compliance with all applicable federal motor vehicle safety standards. This application includes my nine enclosures shown below.

Enclosures:

1. \_\_\_\_ 8 mm video tape (**NOT A VCR TAPE**).
2. \_\_\_\_ Company addresses, phone and fax numbers.
3. \_\_\_\_ Broker(s) with name(s) and phone/fax numbers.
4. \_\_\_\_ Type of vehicles your company will modify.
5. \_\_\_\_ Proof of 49 CFR Parts 400-999 acquired or ordered.
6. \_\_\_\_ Cashiers check or certified check (see page 13) made payable to United States Treasury.
7. \_\_\_\_ Safety Recall Service Contract original copy.
8. \_\_\_\_ Proof of ownership of facility or lease for property.
9. \_\_\_\_ Copy of business license to operate as a car dealer.

# SAMPLE

**Part 592.5(a)(3):**

**Application Prepared By:**

Mrs. Joanne Kirby  
19 Oak Street, Suite 190  
Waterbury, NY 44884  
212-388-4470/- 4471 fax

**Applicant's Name:**

Mr. Jack Smith  
Smith Imports, Inc.  
1955 Apple Towers, Suite 56  
New York, NY 44888  
212-676-3222/- 3001 fax  
E-mail: smithimports@aol.com

**Part 592.5(a)(4)&(5):**

Mr. Jack Smith, President and Mr. Harvey Jones, partner are equal owners in the corporation. They are the exclusive share holders and owners of the corporation.

**Part 592.5(a)(6):**

Applicant has never had a registration revoked pursuant to Section 592.7, nor is it or was it, directly or indirectly owned or controlled by, or under common ownership or control with, a person who has had a registration revoked pursuant to Section 592.7.

**Part 592.5(a)(7):**

Applicant has enclosed a **cashier's check or certified check** payable to the Treasurer of the United States for the RI application fee.

**Part 592.5(a)(8):**

Applicant has enclosed the original copy of a contract with an insurance company to acquire a prepaid mandatory service insurance policy as required in section 592.5. The top copy of each service insurance policy will stay with the vehicle and it goes in the vehicle glove compartment, one copy is sent to NHTSA, one copy is sent to the insurance company, and other copy is for the duplicate vehicle file. Applicant will maintain records



of the vehicles for 10 years and keep records as current as possible. These records are required by 49 CFR Part 592.6 (b) and are duplicate records of those sent to NHTSA. They include, but are not limited to, a copy of the actual photographs of the vehicle exterior front and rear, each front outboard passenger restraint, odometer change, manufacturer and RI certification labels, photographs and documentation showing the modifications made to bring the vehicle into conformity, etc. The other needed records are the completed HS-7 form, vehicle or equipment purchase or sales documents, names and addresses of vehicle owners or purchasers, conformity statement, recall service policy, DOT bond, and any agreements made with the owner of a vehicle or letter from the manufacturer.

**Part 592.5(a)(9):**

Applicant will maintain a record systems capable of acquiring and maintaining names, addresses and telephone numbers of the owners of vehicles which I have furnished a certificate of conformity, with the VIN-s of such vehicles in the event that the owner might have to be notified if a safety related defect exists in such vehicles. I understand it is my obligation to find and notify the current owner, at the time a recall notification is required on such vehicle and to locate owners by my records, state records, or by using a private company to obtain the name and address of the vehicle. I will be financially able to remedy a noncompliance or safety related defect even through replacement of such vehicles, or technically able through repair of such vehicles.

**Part 592.5(a)(10):**

The information in this letter should not be considered confidential.

**Part 595.5(a)(11):**

The applicant will fully comply with all the duties of a Registered Importer as set forth in Section 592.6.

**Part 592.5(a)(12):**

\_\_\_\_\_  
Mr. Jack Smith, President

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Notary:

\_\_\_\_\_  
Dated

**NOTE: From enclosure 6 above see page 13 for correct dollar amount of this check.**

**VIDEO SUBMISSION**

One narrated 8 mm video tape (*NOT A VCR TAPE*) must be submitted of your facilities. The video should show the street address of the facilities and any outside signs on each facility. The video must show the outside of the building where the office is located and the office area where the vehicle files will be stored, including extended file storage for files that must be stored for ten years, the computer system and any other office equipment needed to conduct your business. The video must include the exterior and interior of the modification facility with the tools and equipment required for the business. It must also show the storage area(s) with ample room for all vehicles in your custody. A vehicle must remain in your custody until bond released by NHTSA, or for 30 days after NHTSA has received the vehicle's conformity package. If more than one location exists for any of the above facilities it should be included on enclosure 2, the sample address form.

# SAMPLE

## FACILITY LOCATIONS AND CONTACTS

**APPLICANT/RI NAME:** Jack Smith

**NAME OF BUSINESS:** Smith Imports

**OWNER/PRESIDENT:** Mr. Jack Smith

**MAILING ADDRESS:** 1955 Apple Towers, Suite 56  
New York, NY 44888

(DATE FIRST USED) 10-12-95

CONTACT/PHONE/FAX #: Mr. Jack Smith/Phone: 212-676-3300/FAX: 676-3344  
E-MAIL smithimports.all.com

**OFFICE & RECORD** Same as above

**ADDRESS:** \_\_\_\_\_

(DATE FIRST USED) 10-12-95

CONTACT/PHONE/FAX #: \_\_\_\_\_

**GARAGE ADDRESS:** 1177 Market Street

New York, NY 44888

(DATE FIRST USED) 11-25-95

CONTACT/PHONE/FAX #: Mr. Joe Kelly/Phone: 212-676-3222/FAX: 676-3001

**VEHICLE STORAGE** Same as Garage

**ADDRESS:** \_\_\_\_\_

(DATE FIRST USED) 11-25-95

CONTACT/PHONE/FAX #: \_\_\_\_\_

**CITIZENSHIP/OWNERS** US - Mr. Jack Smith, President 50%

Canadian - Mr. Harvey Jones, Partner 50%

**AGENT-S/NAME/** Not required the President is a U.S. citizen

**ADDRESS:** \_\_\_\_\_

**OTHER PEOPLE & TITLES AUTHORIZED TO SIGN FOR COMPANY:**

Only President is authorized to sign for company

**BROKER(S) WITH NAME(S) AND TELEPHONE NUMBER(S)**

Please send the name(s) of your broker(s) with telephone number(s). This permits direct contact with your broker should there be an error on the electronic entry of a vehicle

BROKER: Ames Brokerage, Inc.

CONTACT: Ms. Judy Reed

PH/FAX: (212)747-2500/-2511

**REGISTERED IMPORTER BUSINESS INTEREST CHECKLIST**

Registered Importer Name:

1. I am willing to modify vehicles for compliance to U.S. safety standards from:  
 Canada  
 All other countries; The Independent Commercial Importer (ICI) that I am associated with is \_\_\_\_\_ .
  
2.  I am **not** willing to do compliance certification contracts for individual owners.
  
3. I **am** willing to undertake compliance certification contracts with individual owners of the following types of vehicles, when determined to be eligible for importation pursuant to 49 CFR Part 593:  
 Passenger Cars  
 Multipurpose Passenger Vehicles  
 Light Duty Trucks  
 Heavy Trucks & Tractors (Over 10,000 lb GVWR)  
 Trailers  
 Buses  
 Motorcycles/Mopeds
  
4. I am willing to undertake responsibility for petitions and fees as required to establish eligibility of uncertified vehicles for importation into the U.S. (ref 49 CFR 593 and 594).  
 Yes  
 No

Signature: \_\_\_\_\_

Date:

Note: Please notify NHTSA if any of the above business interest change.

**PURCHASE OF 49 CFR PARTS 400-999**

Since many of the standards are revised each year, it is important that an RI order the CFR each year to know the latest requirements. The CFR, which is revised each October 1, is published annually and available from the Superintendent of Documents. This volume also identifies high-theft vehicle lines and vehicles determined eligible for importation. Changes to the CFR which occur between publications are found in the Federal Register at the Government Printing Office web site:

*[http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)*

The CFR can be ordered by phone, FAX, or mail:

**TELEPHONE:** (202) 512-1800

**FAX:** (202) 512-2250

**MAIL:** Superintendent of Documents  
P.O. box 371954  
Pittsburgh, PA 15250-7954

Checks should be made payable to the **Superintendent of Documents** when mailing orders or you can use your Discover, Master Card or Visa card on telephone or fax orders.

**NOTE:**      **The proof of having this edition will be to show it in the office video.**

## REGISTERED IMPORTER FEES

Requirement	Fee 2001
<b>Registered Importer</b>	\$584
<b>Annual Renewal of Registration</b>	\$416
<b>Vehicle Eligibility Determination and Importation:</b>	
Petition for substantially similar vehicle	
C Paid when petition is filed	\$175
C Paid for each covered vehicle	\$105
Petition for vehicle capable of being modified	
C Paid when petition is filed	\$800
C Paid for each covered vehicle	\$125
NHTSA Initiative	
C Paid by RI for each covered vehicle	
C Determination before October 1, 2000	\$0
C Determination after October 1, 2000	\$125
<b>Processing Costs for Each Vehicle</b>	
Bond	\$5.75
Conformity Package	\$16
Conformity Package w/ABI, e-mail, credit card, information correctly entered	\$6

**NOTE:**

The application fee for FY 2001 is \$584. This is the ONLY fee required to make application. Payment must be in the form of a CASHIERS CHECK OR CERTIFIED CHECK made payable to the Treasurer of the United States. If the application is denied \$239 will be refunded.

## RECALL SERVICE INSURANCE COMPANIES

Companies known to issue recall service policies to insure an RI against the cost of recall and remedy of safety related defects (ref. 49 CFR 592).

Avalon Risk Management, Inc.  
3315 East Algonquin Road, Suite 340  
Rolling Meadows, IL 60008  
Mike Brown: 978-740-5677 or 888-750-5677

Automobile Consumer Service Corporation  
2007 Poole Drive, Suite A  
Huntsville, AL 35810  
Bob Clemens: 256-851-6777 or 800-824-7059

Continental American Insurance Company  
55 S. Harding Street, Bldg. A  
Indianapolis, IN 46222  
George Thompson: 317-634-6190

Roanoke Trade Services  
425 California Street, Suite 700  
San Francisco, CA 94104  
Terry Cummings: 415-765-6636

This list will be amended when additional sources are identified. The purpose of the policy is to ensure that the applicant will be financially able to remedy any noncompliance or safety-related defect determined to exist within a vehicle it imported at no cost to the owner of the vehicle for a period of ten years after the date of entry.



**PROOF OF OWNERSHIP OF PROPERTY OR PROPERTY LEASE**

Acceptable proof of ownership of property (record storage facility, modification facility, vehicle storage facility) would be a copy of the deed or tax record. If the property is leased, acceptable proof would be a copy of the dated lease signed by both parties. The lease must be specific and the term of the lease must be identified.

**BUSINESS LICENSE**

States and local jurisdictions usually require a business license to operate. In the case of an RI this may involve an automobile repair facility, used car dealer or wholesale dealer license. Copies of these documents should be included with your application.

## **PART 592 REGISTERED IMPORTERS OF VEHICLES NOT ORIGINALLY MANUFACTURED TO CONFORM TO THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS**

### **Section:**

- 592.1 Scope
- 592.2 Purpose
- 592.3 Applicability
- 592.4 Definitions
- 592.5 Requirements for registration and its maintenance
- 592.6 Duties of a registered importer
- 592.7 Revocation, suspension and reinstatement of registration
- 592.8 Inspection; release of vehicle and bond

**AUTHORITY:** P. L.100-562, 49 U.S.C. 322(a), 30117; delegation of authority at 49 CFR 1.50.

**SOURCE:** 54 FR 40090, Sept. 29, 1989, unless otherwise noted.

### **' 592.1 Scope**

This part establishes procedures under 49 U.S.C. 301419(c) for the registration of importers of motor vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards. This part also establishes the duties of Registered Importers. [59 FR 52098, Oct. 14, 1994]

### **' 592.2 Purpose**

The purpose of this part is to provide content and format requirements for persons who wish to register with the Administrator as importers of motor vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards, to provide procedures for the registration of importers and for the suspension, revocation and reinstatement of registration, and to set forth the duties required of Registered Importers.

### ' 592.3 Applicability

This part applies to any person who wishes to register with the Administrator as an importer of nonconforming vehicles, and to any person who is registered as an importer.

### ' 592.4 Definitions

All terms in this part that are defined in 49 U.S.C. 30102 and 30125 are used as defined therein.

#### **Administrator**

The Administrator, National Highway Traffic Safety Administration.

#### **NHTSA**

The National Highway Traffic Safety Administration.

#### **Registered importer**

Any person that the Administrator has registered as an importer pursuant to section 592.5(b).

[54 FR 40090, Sept. 29, 1989, as amended at 59 FR 52098, Oct. 14, 1994]

### ' 592.6 Requirements for registration and its maintenance

(a) Any person wishing to register as an importer of motor vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards must file an application which:

(1) Is headed with the words "Application for Registration as Importer", and submitted in three copies to:

Administrator  
National Highway Traffic Safety Administration  
Room 6111, 400 7th Street SW  
Washington, DC 20590  
Attn: NSA-32 Importer Registration.

(2) Is written in the English language.

- (3) Sets forth the full name, address, and title of the person preparing the application, and the name, address, and telephone number of the person for whom application is made.
- (4) Sets forth, as applicable, the names of all owners, including shareholders, partners, or sole proprietors, of the person for whom application is made.
- (5) If any of the owners listed in paragraph (a)(4) of this section are corporations, sets forth the names of all shareholders of such corporation whose ownership interest is 10 percent or greater.
- (6) Contains a statement that the applicant has never had a registration revoked pursuant to ' 592.7, nor is it or was it, directly or indirectly, owned or controlled by, or under common ownership or control with, a person who has had a registration revoked pursuant to ' 592.7.
- (7) Contains a cashiers check or certified check payable to the Treasurer of the United States, for the amount of the initial annual fee established pursuant to Part 594 of this chapter.
- (8) Contains a copy of a contract to acquire, effective upon its registration as an importer, a prepaid mandatory service insurance policy underwritten by an independent insurance company, or a copy of such policy, in an amount that equals \$2,000 for each motor vehicle for which the applicant will furnish a certificate of conformity to the Administrator, for the purpose of ensuring that the applicant will be able financially to remedy any noncompliance or safety related defect determined to exist in any such motor vehicle in accordance with Part 573 and Part 577 of this chapter. If a copy of a contract to acquire such a policy accompanies the application, the applicant shall provide NHTSA with a copy of the policy within 10 days after it has been issued to the applicant.
- (9) Sets forth in full data, views, and arguments of the applicant sufficient to establish that the applicant will be able, through a records system of acquiring and maintaining names and addresses of owners of vehicles for which it furnishes a certificate of conformity, and Vehicle Identification Numbers (VINs) of such vehicles, to notify such owners that a noncompliance or safety related defect exists in such vehicles, and that it will be financially able to remedy a noncompliance or safety related defect through repurchase or replacement of such vehicles, or technically able

through repair of such vehicles, in accordance with Part 573 and Part 577 of this chapter.

- (10) Segregates and specifies any part of the information and data submitted under this part that the applicant wishes to have withheld from public disclosure in accordance with Part 512 of this chapter.
  - (11) Contains a statement that the applicant will fully comply with duties of a Registered Importer as set forth in ' 592.6.
  - (12) Has the applicant's signature acknowledged by a notary public.
- (b) If the information submitted is incomplete, the Administrator notifies the applicant of the areas of insufficiency, and that the application is in abeyance.
- (c) If the Administrator deems it necessary for a determination upon the application, NHTSA conducts an inspection of the applicant. Subsequent to the inspection, NHTSA calculates the costs attributable to such inspection, and notifies the applicant in writing that such costs comprise a component of the initial annual fee and must be paid before a determination is made upon its application.
- (d) When the application is complete (and, if applicable, when a sum representing the inspection component of the initial annual fee is paid), it is reviewed and a determination made whether the applicant should be granted the status of Registered Importer. Such determination may be based, in part, upon an inspection by NHTSA of the conformance, storage, and recordkeeping facilities of the applicant. If the Administrator determines that the application is acceptable, (s)he informs the applicant in writing that its application is approved, and issues it a Registered Importer Number. If the information is not acceptable, the Administration informs the applicant in writing that its application is not approved. No refund is made of those components of the initial annual fee representing the costs of processing the application, and conducting an inspection. Refund is made of that component of the initial annual fee representing the remaining costs of administration of the registration program.

- (e) In order to maintain its registration, a Registered Importer shall provide an annual statement that affirms that all information provided under paragraphs (a)(4), (a)(5), (a)(6), (a)(9), and (a)(11) of this section remains correct, and that includes a current copy of its insurance policy procured pursuant to paragraph (a)(8) of this section. Such statement shall be titled "Yearly Statement of Registered Importer", and shall be filed not later than October 31 of each year. A Registered Importer shall also pay such annual fee or fees as the Administrator may from time to time establish under part 594 of this chapter. An annual fee shall be paid not later than October 31 of any calendar year, and shall be the annual fee for the fiscal year that began on October 1 of that calendar year. Any other fee shall be payable not later than 30 calendar days after the date that the Administrator has notified the Registered Importer of it in writing.
- (f) A Registered Importer shall notify the Administrator in writing of any change that occurs in the information previously submitted in its application, not later than the end of the both calendar day after such change.
- (g) A registration granted under this part is not transferable.

[54 FR 40090, Sept. 29, 1989, as amended at 54 FR 47088, Nov. 9, 1989; 55 FR 37330, Sept. 11, 1990].