

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

MOBILE SOURCE OPERATIONS SECTION

OPERATIONAL ORDER	NUMBER 8	EFFECTIVE DATE: November 28, 1994 Revised: March 1, 2000
SUBJECT Exemption of Non-Conforming Vehicles	ORIGINATING UNIT Mobile Source Operations Section	

For the purposes of the Virginia Vehicle Emissions Inspection and Maintenance (I/M) Program "Non-Conforming Vehicles" are defined as vehicles which, at the time of manufacture, were not designed to meet emissions standards set or approved by the federal government. Therefore, these vehicles are exempt from the Virginia Vehicle Emissions Inspection Program.

See § 46.2-1177.3. of the Air Pollution Control Law of Virginia.

Although the Federal EPA no longer allows non-conforming vehicles into the United States (Attachment 1), a significant number of these non-conforming vehicles were imported into the United States for various circumstances such as diplomatic, military, personal use, etc. (Attachments 2 through 4)

There are two methods for identifying a non-conforming vehicle:

(1) Submittal of documentation indicating non-conforming vehicle status. (Attachments 6 through 15 are typical examples) Additional clarification on release letters may be obtained from the EPA. The Virginia State Police Fact Sheet which includes the "Grey Market" definition and description of the EPA "five year, personal use exemption" is also attached to this order. (Attachment 5)

(2) Examination of the vehicle by a Vehicle Emissions Compliance Officer (VECO) to verify that it is a non-conforming make and/or model. This can usually be determined through verification of the vehicle make and model that was never certified for sale in the United States. The VECO conducting the examination of the vehicle may use dealer supplied information and assistance in researching the vehicle's origin utilizing the vehicle identification number (VIN), make, model or any other pertinent information in determining non-conforming vehicle status.

Upon verification of a non-conforming vehicle either through supporting documentation or visual examination of the vehicle, a memorandum of exemption from the vehicle emissions inspection program may be approved. A letter of exemption (Attachment 16) and memorandum to the Department of Motor Vehicles (DMV) (Attachment 17) shall be prepared for the I/M Program Manager's signature. The vehicle's owner is issued the original letter after a copy has been made to retain on file at Mobile Source Operations Section (MSOS) with copies of other supporting documentation regarding that vehicle. An entry to the non-

conforming vehicle log (Attachment 18) shall be made once the vehicle is approved for an exemption from the Virginia Emissions Inspection Program. The purpose of this log is to provide a quick reference for any non-conforming vehicle that has been granted an exemption from the Virginia Vehicle Emissions Inspections Program.

Attachments

- Attachment 1- Page 1 of the EPA Automotive Imports Facts Manual, United States Environmental Protection Agency, Rev. 09/21/1994.
- Attachment 2 - EPA Importation Flow Chart A-7
- Attachment 3 - EPA Importation Flow Chart A-8
- Attachment 4 - EPA Importation Flow Chart A-9
- Attachment 5 - Virginia Department of State Police fact sheet
- Attachments 6-15 - Various samples of EPA vehicle importation/exemption documents.
- Attachment 16 - DEQ Letter of Exemption to Citizen
- Attachment 17 - DEQ Memorandum of Exemption to DMV
- Attachment 18 - Non-Conforming Vehicle Exemption Letter Log

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 its original EPA-certified configuration if those systems or components are altered, damaged, malfunctioning or missing.

IMPORTATION FLOW CHART

NOTE: This Flow Chart is a summary of the importation process. For complete details see the appropriate sections of the manual.

1) If your vehicle or heavy-duty engine (HDE) is excluded:

Excluded Vehicles/HDEs

Vehicles not subject to emission requirements - See Section B.1

A vehicle or engine is excluded if it is a:	AND	was originally manufactured before:	On Form 3520-1, Declare Code:
Light-duty gasoline-fueled vehicle or truck		January 1, 1968	R
Light-duty diesel-fueled vehicle		January 1, 1975	S
Light-duty diesel-fueled truck		January 1, 1977	T
Motorcycle		January 1, 1978	U
Heavy-duty gasoline or diesel-fueled engine		January 1, 1970	V

Other Exclusions

<p><u>Non-chassis-mounted engines</u> used for a light-duty vehicle or light-duty truck. Declare code "W" on Form 3520-1.</p> <p><u>Racing vehicles</u> lacking features associated with safe and practical street or highway use, or vehicles that cannot exceed 25 mph. EPA approval letter must be attached to Form 3520-1. Declare code "L" on Form 3520-1.</p>	<p><u>Runs solely on unregulated fuel</u> - Declare code "Y" on Form 3520-1. EPA approval letter must be attached to Form 3520-1 if vehicle was originally manufactured to run on regulated fuel.</p> <p><u>Off-Road Vehicles or HDEs</u> having a maximum speed of 25 mph, exhibiting features such as tracked road contact means, inordinate size, or military combat or tactical vehicles. Declare code "X" on Form 3520-1.</p>
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THESE VEHICLES ARE EXCLUDED FROM THE CLEAN AIR ACT AND MAY BE IMPORTED BY ANYONE WITHOUT BOND.

2) If your vehicle/HDE is not excluded and is being imported temporarily:

Temporary Importations

Emission requirements for these vehicles/HDEs are waived - See Section B.2

<u>Purpose:</u>	<u>May Be Imported By:</u>	<u>Bond Required:</u>	<u>EPA Approval Required:</u>	<u>On Form 3520-1 Declare Code:</u>
- Repair/Alteration	Anyone	Yes	Yes	G
- OEM testing, research, etc.	OEM	No	No	H
- Testing	Anyone	Yes	Yes	I
- Display	Anyone	Yes	Yes	K
- Diplomat/Armed Forces/ Personnel on Official Business	Foreign Diplomats/Military	No	No	N
- Non-resident	Individual Nonresident	No	No	O

IMPORTATION FLOW CHART

- 3) If your vehicle/HDE is not excluded and is being imported permanently, and
 a) is a U.S. Version Vehicle/HDE:¹

<u>U.S. Version Vehicles/HDEs</u>				
See Section B.3.a				
If Vehicle/HDE:	May be Imported by:	Bond Required:	Approval Required:	On Form 3520-1, Declare Code:
has been modified or altered	Anyone	Yes	No ²	F
is new (driven less than 50 miles)	Anyone	No	No	BB
is 21 years old or older	Anyone	No	No	E
operates on diesel fuel only	Anyone	No	No	CC
is manufactured without a catalyst or oxygen sensor.	Anyone	No	letter from EPA or manufacturer, unless 21 years old or older	DD
has not been driven outside of U.S., Canada, Mexico, Japan, Australia, Taiwan, or Bahama Islands, and:				
1. catalyst is installed and all emission equipment is intact, and functioning	Anyone	No	No	No Form Required
2. not all emission equipment is intact or functioning	Anyone	Yes	No ²	F
has not been driven outside of Western European countries, fueled only with unleaded gas, and:				
1. catalyst is installed, all emission equipment is intact and properly functioning.	Anyone	No	No	FF
2. not all emission equipment is intact or functioning.	Anyone	Yes	No	F
All other vehicles/HDEs	a. Anyone b. Anyone	Yes No	No ² Certificate from CCP	F AA

(1) U.S. versions are manufactured according to an EPA certificate of conformity and with an EPA emission label in the English language.

(2) Importer must demonstrate to EPA that vehicle complies with all emission requirements for bond release.

IMPORTATION FLOW CHART

b) Is a Canadian Vehicle/HDE:

Canadian Vehicles/HDEs							
See Section B.3.b							
Identical to U.S. Version				Not Identical to U.S. Version			
<u>Vehicle:</u>	<u>Bond:</u>	<u>May be Imported by:</u>	<u>Code:</u>	<u>Vehicle:</u>	<u>Bond:</u>	<u>Approval Required:</u>	<u>Code:</u>
is a 1988 or later model year LDV, LDT, HDGE	No	Anyone	EE	21 years or older	No	No	E
has a letter from the OEM or the U.S. Representative attached to Form 3520-1	No	Anyone	EE	owned by immigrant with INS papers	No	No	M ¹
is on EPA identical list	No	Anyone	EE	importer permanently moving to U.S.	No	Yes	M
has an authorizing letter from EPA attached to Form 3520-1	No	Anyone	EE	Gift/inheritance to immediate family member	No	Yes	M
<p>NOTE: Identical vehicles operated outside of U.S., Canada, Mexico, Japan, Australia, Taiwan, or Bahama Islands must also comply with requirements of U.S. version vehicles returning to U.S. and declare a second code (see codes F, AA, CC, DD, FF) on EPA Form 3520-1.</p>				Modified to be identical to U.S. version.	No	Yes	EE
				All others (are not excluded and do not qualify for an exemption)	Must be imported by an ICI. See ICIs under Non-U.S. Version Vehicles.		
				1. word "immigrant" is written at top of EPA Form 3520-1.			

c) is not a U.S. or Canadian Version Vehicle/HDE:

Non U.S. Version Vehicles/HDEs							
See Section B.3.C							
These vehicles/HDEs can be imported if:				Entered by an ICI			
Individual has an EPA Exemption				Individuals may not directly import			
<u>Vehicle Is:</u>	<u>Bond:</u>	<u>Approval Required:</u>	<u>Code:</u>	<u>Vehicle Imported for:</u>	<u>Bond:</u>	<u>Condition:</u>	<u>Code:</u>
21 years old or older	No	Yes	E	Modification to specific certificate	No	ICI must have certificate for specific make, model, OP year.	A
Needed and unforeseen extreme hardship	No	Yes	M	Modification & testing	No	Vehicle at least 6 OP years old.	C
Identical to U.S. version vehicle or HDE*	No	Yes	EE	Precertification testing*	Yes	ICI has 180 days to obtain certificate or export.	J
Modified to be identical to U.S. version vehicle or HDE*	No	Yes	EE	Modification to OEM's certified version	No	Copy of OEM's instructions attached.	Z
				Modification & testing for vehicle less than 6 OP years	No	Must be owned by U.S. Gov't employee or member of military. Certification concerning duty area from employing agency required.	D
* requires letter of proof from U.S. representative of the OEM				* Written EPA approval must be attached to Form 3520-1.			

QUIET FACTS

1. Gray market vehicles are those vehicles which are imported and required to meet U.S. E.P.A. emissions standards and D.O.T. safety standards.
2. Five year personal use exception (one time exception) are those vehicles (5 years old or more) that may be imported into the United States which have no emissions components and do not meet E.P.A. standards. However, the above described vehicles must meet D.O.T. safety standards and all Virginia inspection requirements; except for emissions components.
 - a. Must be purchased or owned prior to importation.
 - b. By citizen for personal use only.
 - c. Vehicle can't be sold for at least two years.
 - d. If sold within two years the vehicle must be brought into conformity prior to sale.
3. Owners of those vehicles imported under the "five year personal use exception" should be encouraged to retain documentation of exception (Form 3520-1) in the vehicle so that safety inspection of the vehicle may be accomplished without delay.
4. If the vehicle is retained by the importer for more than two years and sold; the next and subsequent owner must retain Form 3520-1 as proof of exception when submitting the vehicle for Virginia safety inspection.

EXCEPTION

Diplomats and foreign service personnel assigned to duty in the United States often bring with them their privately owned foreign vehicles. The Virginia Division of Motor Vehicles will register the vehicle and issue Virginia license plates. However, the Division of Motor Vehicles will not issue title for the vehicle. The title shall be held by the Division of Motor Vehicles and the vehicle must be exported upon completion of the diplomat's tour of duty.

If sold in the United States, the vehicle must meet the appropriate E.P.A. or D.O.T. standard, dependent on the model year of the vehicle.

When submitted for Virginia inspection (proper proof required) these vehicles are exempt from the Approval Section for lighting, seatbelt and glass requirements stipulated in our inspection manual. Even though the above described vehicles are exempt from certain items being of an approved type, this does not mean that any equipment found on the vehicle can be defective. All equipment must be functional or operating properly.



United States
Environmental Protection Agency
Washington, DC 20460

Importation of Motor Vehicles and Motor Vehicle Engines
Subject to Federal Air Pollution Regulations

U.S. Environmental Protection Agency, Vehicle Programs & Compliance Division (6405-J), Attn: Imports, 401 M Street, S.W., Washington, D.C. 20460
EPA Imports Feedback System: (202) 664-8660 Fax: (202) 565-2057

This form must be submitted to the U.S. Customs Service (42 USC 7522, 7501; 19 CFR 12.73) for each motor vehicle (including motorcycles, disassembled vehicles, kit cars) and heavy-duty engine (generally, any engine used in a motor vehicle having a gross vehicle weight rating of greater than 8500 lbs., or curb weight of more than 6000 lbs.) imported into the U.S., with the following exception.

This form is not required for motor vehicles and heavy-duty engines that are imported by the original manufacturer and are new and are covered by an EPA certificate of conformity.

Penalties: Any person who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$250,000 or imprisoned for up to 5 years, or both (18 USC 1001). Any person who improperly imports a motor vehicle (including a motorcycle) or heavy-duty engine may be fined up to \$25,000 per vehicle or heavy-duty engine (42 USC 7524), and may be subject to forfeiture of the entire importation bond, if applicable (40 CFR 85.1513), and the U.S. Customs Service may seize the vehicle or engine (19 CFR 152.21).

Description and Declaration of Motor Vehicle or Heavy-Duty Engine

1. Customs Port Code:	2. Customs Entry Date: (mo/day/yr)	3. Customs Entry Number:	4. Chassis (or HD Engine) Serial Number (VIN):
5. Date of Original Manufacture: (mo/yr)	5. Original Manufacturer: (make)	7. Model:	
6. EPA Declaration Code: (see pgs 2-4 for a list of codes)	8. EPA No. and Model Year and Expiration Date of Certificate Applicable to this Importation: (required only for codes A, C, D, J and Z)		

Names, Addresses, and Telephone Numbers of Relevant Parties

10. Importer (must be ICI for codes A, C, D, J and Z)	11. Owner (also provide Taxpayer No. or SSN):	12. Intended Storage Location (no P.O. Box): (required only for codes A, C, D, J and Z)
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Certification

I certify that: I have read and understand the purpose of this form, the penalties for falsely declaring information, or for providing misleading information, or for concealing a material fact; the information I have provided is correct; the EPA declaration code declared in item 8 and described on pages 2-4 accurately reflects the circumstances of importation for this vehicle or engine; I authorize EPA Enforcement Officers to conduct inspections or testing permitted by the Clean Air Act; I am the owner, importer, or agent for the owner or importer; I understand that vehicles or HD engines imported under codes A, C, D, J, or Z may only be imported by and released to an EPA approved ICI.

13. Signature (for codes A, C, D, J and Z person signing must be an official or agent of ICI):	14. Date:
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15. Identification of person signing above:
Name (Print):

16. Complete the following if person signing above is not the owner or importer identified in item 10 or item 11 above.

Title: _____ Nature of business and address: _____

Company: _____

Telephone Number: _____



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**U.S., "Identical to U.S.", and Many Canadian Versions
 Permanent Importation Codes (enter in block 8, page 1)**

See also code "E" for vehicles that are 21 years old or older (next to last code on this page) and codes R, S, T, U, V, and Y for vehicles that are excluded from the emissions requirements because of age or fuel type (page 3).

For the following codes "B" and "F", Vehicle Must Be U.S. EPA Certified as follows:

- (1) Manufacturer's emission label (in engine compartment of car or light-duty truck, on frame of motorcycle, on engine block of heavy-duty engine) in the English language stating it was manufactured to meet all U.S. EPA emission requirements; or
 - (2) Letter from the U.S. representative of the original manufacturer (letter from dealership or foreign representative not acceptable) attached to this form stating it was manufactured to meet all U.S. emission requirements.
- B. U.S. EPA certified and in original EPA configuration. (This code may be used if the catalyst or oxygen sensor or fuel filler neck restrictor were removed for use overseas, but the vehicle is otherwise in its original EPA certified configuration.) If the catalyst or oxygen sensor or fuel filler neck restrictor were removed or damaged, the importer attests that the catalyst and oxygen sensor and fuel filler neck restrictor, as applicable, will be re-installed or replaced after importation. If leaded gasoline was used, the importer attests that after importation (1) the fuel tank will be drained and refilled with unleaded gasoline, (2) the catalyst and oxygen sensor, if they were left on the vehicle during use of the leaded gasoline, will be replaced, and (3) the fuel filler neck restrictor will be checked and replaced, if necessary. No bond or EPA approval is required. Any person may import a qualifying vehicle using this code.
- F. U.S. EPA certified at time of manufacture, but subsequently altered or modified. (If only the catalyst or oxygen sensor or fuel filler neck restrictor were removed for use overseas, use code "B" above.) Customs importation bond required. No EPA approval required at the time of importation. Importer has 120 days to demonstrate to EPA with a mechanic's attestation and paid invoice that the vehicle has been returned to its original EPA certified configuration. Results of state emission tests are not acceptable. Importer is responsible for contacting EPA for instructions. Any person may import a qualifying vehicle using this code.
- EE. "Identical in all material respects" to a U.S. certified version, as demonstrated by any one of the following. This code may not be used for purpose of sale or resale in U.S., except for Canadian vehicles. Any person, other than the vehicle or engine manufacturer, may import a qualifying vehicle using this code.
- 1. Canadian certified version on EPA list of "identical" models provided to Customs. The EPA list includes all 1988 through 1995 model year cars and light-duty trucks (gasoline and diesel fueled) and all 1988 through 1995 model year heavy-duty engines (gasoline fueled only). Vehicle must be Canadian certified (examples: vehicle equipped with Canadian emission and safety label; or copy of Canadian registration or title attached to this form; or a copy of letter from the U.S. or Canadian representative of the original manufacturer attached to this form stating that the vehicle was manufactured to meet all Canadian emission requirements); No bond or EPA approval is required; or
 - 2. Letter attached to this form from the U.S. representative of the original manufacturer (not a dealer or mechanic) stating that the vehicle, while manufactured for sale outside of the U.S., was manufactured to be identical to an EPA certified U.S. version with respect to emissions, except possibly for labeling and warranty. No bond or EPA approval is required; or
 - 3. Letter attached to this form from EPA stating that the vehicle is eligible to be imported using this code. No bond is required.

**Exemptions (Emission Requirements Waived)
 Permanent Importation Codes (enter in block 8, page 1)**

- E. Vehicle or heavy-duty engine is 21 years old or older (calendar year of manufacture subtracted from year of importation). No bond or EPA approval is required. (See also "exclusion" codes R, S, T, U, and V on page 3.)
- M. Miscellaneous exemption, as follows:
- 1. Letter of approval from EPA attached to this form, based on unforeseen and extraordinary circumstance; or
 - 2. Canadian certified vehicle (examples: vehicle equipped with Canadian emission and safety label; or copy of Canadian registration or title attached to this form; or a copy of letter from the U.S. or Canadian representative of the original manufacturer attached to this form stating that the vehicle was manufactured to meet all Canadian emission requirements) and
 - 4. importer (individual or business) changing permanent residence from Canada to the U.S. (for at least three years) and vehicle is only for personal or company use (not for sale). Copy of Canadian title or registration in the name of the importer is attached to this form. No bond or EPA approval is required; or
 - 5. resident of Canada sold or gave vehicle to immediate family member living in U.S. Letter or invoice or other evidence of sale or gift or inheritance by Canadian resident to the family member in U.S. and copy of Canadian title or registration in the name of the Canadian resident are attached to this form. (Immediate family includes by blood or marriage: brother, sister, child, parent, spouse, grandparent, grandchild, aunt, uncle, niece, nephew or first cousin). No bond or EPA approval is required.



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Exclusions (Not Subject to Emission Requirements)
Permanent Importation Codes (enter in block 8, page 1)
No bond or EPA approval is required for codes R, S, T, U, V, W, X or Y.

- L. Vehicle is determined by EPA to be a racing vehicle meeting one or more of the criteria found at 40 CFR 85.1703(a) and may not be registered or licensed for use on or operated on public roads or highways (40 CFR 85.1511(e)). EPA letter of approval must be attached to this form.
- R. Light-duty gasoline-fueled vehicle or truck originally manufactured prior to January 1, 1988 (40 CFR 85.1511 (f)(1)(ii)).
- S. Light-duty diesel-fueled vehicle originally manufactured prior to January 1, 1975 (40 CFR 85.1511 (f)(1)(iii)).
- T. Light-duty diesel-fueled truck originally manufactured prior to January 1, 1976 (40 CFR 85.1511 (f)(1)(iii)).
- U. Motorcycle (including scooters and mopeds) originally manufactured prior to January 1, 1978, or the engine displacement is less than 50cc with rated speed greater than 5000 rpm (40 CFR 85.1511 (f)(1)(iv)).
- V. Gasoline-fueled or diesel-fueled heavy-duty engine originally manufactured prior to January 1, 1970 (40 CFR 85.1511 (f)(1)(v)).
- W. Non-chassis-mounted engine to be used in a light-duty vehicle or light-duty truck or motorcycle. Prohibition: Modifying a motor vehicle that was originally manufactured in accordance with an EPA certificate of conformity, or manufacturing a motor vehicle without obtaining a proper certificate of conformity from EPA, is a violation of the Clean Air Act.
- X. "Off road" vehicle (including motorcycles and multi-purpose vehicles) or heavy-duty engine (for use in, or installed in, an "off road" vehicle) not subject to nonroad requirements at 40 CFR parts 89, 90, 91 or 92, imported in accordance with 40 CFR 85.1703. Importer must attach proof that vehicle lacks safety or other features required for safe and practical street operation. The vehicle may not be registered for, or licensed for, or capable of use on, or operated on the public roads or highways. Multi-purpose vehicles capable of being operated on the public roads or highways may not be imported using this code, regardless of intended use.
- Y. Unregulated fuel. A vehicle or heavy-duty engine that: (1) for model years earlier than 1991 does not operate on gasoline or diesel fuel, or (2) for 1991-1996 model years does not operate on gasoline or diesel or methanol fuel, or (3) for 1997 and later model years does not operate on gasoline or diesel or methanol or Compressed Natural Gas (CNG) or Liquid Petroleum Gas (LPG), including propane. Prohibition: Converting or re-converting a vehicle or heavy-duty engine that runs solely on unregulated fuel to run on a regulated fuel without obtaining a proper certificate of conformity from EPA is a violation of the Clean Air Act.

Modification of Non-U.S. Versions to Meet U.S. Emission Requirements
Importations by ICIs Only (enter in block 8, page 1)

Individuals may not import a nonconforming vehicle or heavy-duty engine that is less than 21 years old (use code E on page 2 if 21 years old or greater) unless otherwise exempted by EPA (see codes M and EE on page 2) or excluded (see codes L, R, S, T, U, V, W, X, and Y above). Individuals that desire to modify their vehicle or heavy-duty engine to meet U.S. requirements, must either (1) modify it prior to importation according to written instructions from the original manufacturer's U.S. representative to obtain an EPA exemption letter (see code EE on page 2, demonstration method #3), or (2) arrange to have an Independent Commercial Importer (ICI) import the vehicle for modification and/or testing as required. ICIs are private businesses located in the U.S. that hold certificates of conformity from the EPA for the purpose of modifying nonconforming vehicles and heavy-duty engines in accordance with Federal emission requirements. Results of State emission tests are not acceptable as demonstration of compliance with Federal requirements. Individuals desiring to import vehicles for modification in the U.S. may obtain a current list of ICIs at (202) 233-9860.

- A. Imported by an ICI for modifications in accordance with a valid EPA certificate of conformity issued for the specific make, model, and model year in accordance with 40 CFR 85.1505. No bond or EPA approval is required.
 - C. Imported by an ICI for modification and testing in accordance with 40 CFR 85.1509. Vehicle or heavy-duty engine must be at least 6 years old. No bond or EPA approval is required.
 - J. Imported by an ICI for the purpose of pre-certification testing in order to obtain an EPA certificate of conformity. Customs bond is required. No EPA approval is required. The ICI has 180 days to obtain a certificate or export (40 CFR 85.1511(b)(3)).
 - Z. Imported by an ICI for the purpose of modifying to be identical to an original equipment manufacturer (OEM) certified version in accordance with written instructions from the OEM that are specific to the vehicle or heavy-duty engine being imported. A copy of the OEM instructions must be attached to this form. No bond or EPA approval is required.
- Imported by an ICI for modification and testing in accordance with 40 CFR 85.1509(a)(1)(ii), even though the vehicle or heavy-duty engine is less than 6 years old. Must be owned by U.S. government employee or member of military, must be eligible for shipment at the government expense, and must have required certification from the employing agency concerning the prohibitions or restrictions concerning U.S. version vehicles at the overseas station. No bond or EPA approval required.



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Temporary Importation Codes (enter in block 8, page 1)

Use codes may not be used for the purpose of conversions to meet EPA requirements for such conversions, see codes A, C, D, J, and Z above; and vehicle or heavy-duty engine must be exported or destroyed or brought into conformity with applicable EPA requirements after the purpose of the exemption has been satisfied, or the expiration date of the exemption, whichever comes first. The expiration date of the exemption is the expiration date of the Customs authorization for the entry.

- G. Imported solely for repair or alteration in accordance with 40 CFR 85.1511(b)(1). Vehicle or heavy-duty engine may not be registered or licensed for use on, or operated on public roads or highways, or sold or leased in the U.S. Customs bond required. EPA approval not required.
- I. Imported for testing purposes in accordance with 40 CFR 85.1511(b)(2) and 40 CFR 85.1705. Vehicle or heavy-duty engine may not be registered or licensed for use on or operated on public roads or highways (except operation that is integral to the purpose of the testing program) or sold or leased in the U.S. Customs bond required. EPA approval not required. (Manufacturers may instead use code H on this page, if applicable).
- K. Imported for display (solely for public or business purposes, and not for private purposes or sales promotions or gifts or prizes of nonconforming vehicles for the U.S. market) in accordance with 40 CFR 85.1511(b)(4) and 85.1707. Vehicle or heavy-duty engine may not be registered or licensed for use on or operated on public roads or highways (except operation that is integral to the purpose of the display purpose) or sold or leased in the U.S. Customs bond required. EPA approval not required.
- N. Imported by member of the armed forces or personnel of a foreign government on assignment to the U.S., who either comes within the class of persons for whom free entry has been authorized in writing by the U.S. Department of State, or is a member of the armed forces of a foreign country and has official orders for duty in the U.S. (40 CFR 85.1511(d)). The vehicle or heavy-duty engine must not be sold in the U.S. and must be exported after the assignment or authorization terminates, whichever comes first, unless it is first modified to meet all U.S. emission requirements or otherwise exempted from meeting U.S. emission requirements. A copy of the U.S. Department of State authorization, or orders for duty in the U.S. for a member of the armed forces of a foreign country, must be affixed to this form. No bond or EPA approval is required.
- O. Imported by nonresident for personal use by the importer for a period not to exceed the time period as authorized by Customs. The vehicle or heavy-duty engine must be exported upon termination of the time period authorized by Customs, or upon the nonresident departing the U.S., whichever comes first, unless it is first modified to meet all U.S. emission requirements or otherwise exempted from meeting U.S. emission requirements. Only individuals may use this code. No bond or EPA approval is required.

Importations by Original Equipment Manufacturers (enter in block 8, page 1)

- H. Imported, owned, and controlled directly by an original equipment manufacturer (OEM) on EPA list of OEMs provided to Customs, either (1) for research, development or testing purposes in accordance with 40 CFR 85.1706, or (2) for storage pending receipt of the applicable EPA certificate of conformity, which is pending and imminent. (Note: this form is not required for OEM importations of vehicles for which EPA has issued an applicable certificate of conformity). No bond or EPA approval is required. No time limit applies. If the vehicle is subsequently covered by an applicable EPA certificate of conformity, it is released from the restrictions of this exemption.

Privacy Act Statement

Collection of the information on this form is authorized by the Clean Air Act, 42 USC sec. 7401 et seq. (See 40 CFR 85.1501 et seq., Importation of Motor Vehicles and Motor Vehicle Engines). The Environmental Protection Agency (EPA) uses this information to determine compliance of imported motor vehicles and heavy-duty engines with U.S. emission requirements and for investigations with respect to EPA's import regulations. Disclosure of this information may be made to other Federal, State or Local law enforcement agencies when there is a violation of civil or criminal law. Furnishing the information on this form, including your Social Security Number, is voluntary, but failure to do so may result in disapproval for entry into the U.S. of the motor vehicle or heavy-duty engine identified on this form.

Paperwork Reduction Act Notice

Public reporting burden for the collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch (2136), U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

A large, handwritten signature in black ink, appearing to read "Dickinson".

OFFICE OF
AIR AND RADIATION

Dear Vehicle Owner:

This letter is in response to your recent inquiry regarding the compliance status of an imported vehicle. Our records indicate that the vehicle described below has met all applicable Environmental Protection Agency (EPA) importation requirements and has been or is eligible to be finally admitted into the United States.

1980 MERCEDES BENZ 380SE
VIN: 126032-12-005453

If the vehicle has been imported by an importer (ICI), EPA considers the vehicle to be finally admitted into the U.S. with respect to the EPA requirements as of the date of this letter and authorizes its release to the vehicle owner, provided that all other requirements of 40 CFR Part 85 Subpart P have been met.

This letter may be needed for future registration or sale of the vehicle, and therefore we advise you to keep a copy with the vehicle registration, and furnish it to future purchasers of the vehicle. This letter does not release the importer from the obligation to comply with Federal safety standards, pay applicable gas guzzler taxes or comply with applicable state or local emission requirements, nor does any other letter issued by EPA exempt an importer from these requirements.

Sincerely yours,

David J. Dickinson
Group Manager
Vehicle Compliance Programs Group
Vehicle Programs & Compliance Division

1-A (3/96)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Sample

SEP 24 1999

OFFICE OF
AIR AND RADIATION

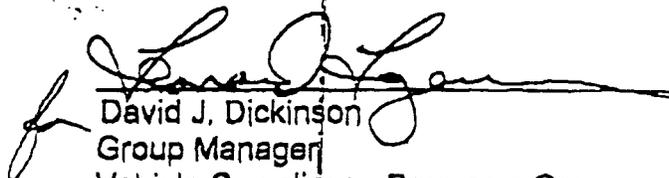
DEAR VEHICLE OWNER:

This letter is in response to your recent inquiry regarding the compliance status of an imported vehicle. Our records indicate that although the Environmental Protection Agency (EPA) may lack sufficient information to determine whether the vehicle described below meets Federal emission requirements, the vehicle has been exempted or excluded from EPA importation requirements and has been or is eligible to be finally admitted into the United States.

**1978 MERCEDES BENZ 2D SDN
VIN: 12305312003346**

If importing the vehicle, you must attach a copy of this letter to the EPA entry form 3520-1 provided to the U.S. Customs Service (Customs), and should keep the original for your records. This letter may be needed for future registration or sale of the vehicle, and therefore we advise you to keep a copy with the vehicle registration, and furnish it to future purchasers of the vehicle. This letter does not release the importer from the obligation to comply with Federal safety standards, pay applicable gas guzzler taxes or comply with applicable state or local emission requirements, nor does any other letter issued by EPA exempt an importer from these requirements.

Sincerely yours,


David J. Dickinson
Group Manager

Vehicle Compliance Programs Group
Vehicle Programs & Compliance Division

1-C (3/96)

ATTACHMENT ¹⁰

US Environmental
Protection Agency

401 M Street SW
Washington, DC 20460

Manufacturers
Operations Division
(EN-340-F)

APR-28-1988
In Reply Refer To:
EPA NO. N 51880

District Director
US Customs Service
477 MICHIGAN AVENUE
DETROIT, MI 48226

Dear District Director:

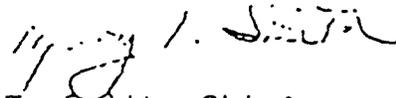
Approval is hereby given for release of the EPA obligation
on the bond for the following vehicle:

Make: MER
Model: GRAND MARGUIS
Model Year: 88
VIN: 2MEBM75F4JX 663186

Importer:
Entry No.: 331-2822728-8
Entry Date: 3/ 5/88
Port: DET

We appreciate your assistance in the enforcement of the
Joint Customs-EPA regulations.

Sincerely yours,



Mary T. Smith, Chief
Manufacturers Programs Branch

cc: 656152 ONTARIO
9345 NORTH FLORIDA AVENUE
TAMPA, FL 33612

NOTE TO IMPORTER: This is an important document. Please keep
a copy with the vehicle registration at all times.

B-A
7/86

US Environmental
Protection Agency

401 M Street SW
Washington, DC 20460

Manufacturers
Operations Division
(EN-340-F)

JUN- 8-1988
In Reply Refer To:
EPA NO. N 51878

District Director
US Customs Service
77 SE 5TH STREET
MIAMI, FL 33131

Dear District Director:

Approval is hereby given for release of the EPA obligation on the bond for the vehicle described below:

Make: MB
Model: 280 SE
Model Year: 79
VIN: WDB11602412 144232

Importer:
Port: MIA
Entry No.: 84-180705-1
Entry Date: 5/18/84

The importer has been conditionally excepted from demonstrating that the vehicle has been brought into conformity with Federal emission requirements based on EPA's understanding that (1) the vehicle was five or more model years old on the date of entry, (2) it was imported by this individual, (3) it is the first nonconforming vehicle imported by this individual, (4) it was imported for personal use and not for resale and (5) it was not purchased through or with the assistance of a business or agent. This release applies only to an importation by an individual in accordance with the above requirements. This release is void if the requirements are not met.

This nonconforming vehicle may not be resold in the U.S. for at least two years from the date of entry.

This letter does not release the importer from the obligation to comply with Federal safety requirements administered by the U.S. Department of Transportation or with any applicable state or local emission related requirements.

We have been informed by the California Air Resources Board that a vehicle, as defined in 43156 of the California Health and Safety Code, may not be registered in California unless it is first brought into conformity with California or Federal emission requirements.

Sincerely yours,



Mary T. Smith, Chief
Manufacturers Programs Branch

c: ANITA TOBIAS
10 BOX 1389
VENTURA, CA 93002

±
iv. 7/86



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

99-005

MERLYN L LUKE
10412 HEADLY COURT
FAIRFAX, VA 22032

APR 28 1997

OFFICE OF
AIR AND RADIATION

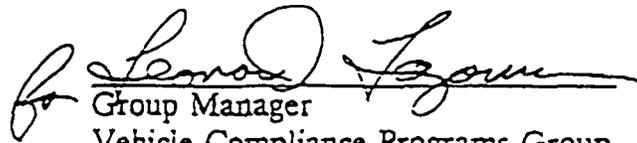
Dear Vehicle Owner:

This letter is in response to your recent inquiry regarding the compliance status of an imported vehicle. Our records indicate that although the Environmental Protection Agency (EPA) may lack sufficient information to determine whether the vehicle described below meets Federal emission requirements, the vehicle has been exempted or excluded from EPA importation requirements and has been or is eligible to be finally admitted into the United States.

1983 MERCEDES BENZ 280TE
VIN: WDB12309310013067

If importing the vehicle, you must attach a copy of this letter to the EPA entry form 3520-1 provided to the U.S. Customs Service (Customs), and should keep the original for your records. This letter may be needed for future registration or sale of the vehicle, and therefore we advise you to keep a copy with the vehicle registration, and furnish it to future purchasers of the vehicle. This letter does not release the importer from the obligation to comply with Federal safety standards, pay applicable gas guzzler taxes or comply with applicable state or local emission requirements, nor does any other letter issued by EPA exempt an importer from these requirements.

Sincerely yours,


Group Manager
Vehicle Compliance Programs Group
Vehicle Programs & Compliance Division

1-C (3/96)

ATTACHMENT 13
Printed on Recycled Paper

Federal Republic of Germany
Office of Defense Administration
U.S.A. and Canada
I

11150 Sunrise Valley Dr
Reston, VA 22091
(703) 715-8100 / 8227
14.04.92

TO WHOM IT MAY CONCERN

Mr. X Example
Street X
City X 11111

is a member of the Civilian Component of the Armed Forces of the Federal Republic of Germany and has been assigned by the Federal German Minister of Defense for temporary duty in the United States of America.

As such he comes within the provisions of the "Agreement between the Parties of the North Atlantic Treaty regarding the Status of their Forces" (NATO Status of Forces Agreement), which went into force as a treaty on 23 August 1953. (TIAS 2845).

In accordance with the NATO Status of Forces Agreement, members of the German Armed Forces or civilian component are entitled to import their private motor vehicles into the United States temporarily free of duty for their and their dependents personal use even though those vehicles do not comply with the U.S. Safety and Environmental Standards. Please refer to the enclosed copy issued by the Commonwealth of Virginia Department of Air Pollution Control regarding the Grey Market Import Inspection Procedures.

Liane Eisink
Legal Affairs Section

encl. - 1 -

ATTACHMENT 14

US Environmental
Protection Agency

401 M Street SW
Washington, D.C. 20460

Manufacturers
Operations Division
(EN-340-F)

APR-27-1988
In Reply Refer To:
EPA NO. N 51876

District Director
US Customs Service
300 SOUTH FERRY STREET
TERMINAL ISLAND, CA 90731

Dear District Director:

The vehicle described below has been tested and shown to be in conformity with Federal emission requirements:

Make: MB
Model: 350 SE
Model Year: 77
VIN: WDB11602812 041392

Importer:
Port: LAN
Entry No.: 85-480769-5
Entry Date: 5/24/85

Therefore, approval is given for release of the EPA obligation on the bond for this vehicle.

This letter does not release the importer from the obligation to comply with Federal safety requirements administered by the US Department of Transportation or with any applicable state or local emission related requirements.

NOTE TO CALIFORNIA RESIDENTS: We have been informed by the California Air Resources Board (CARB) that a used vehicle, (one which is more than two years old), which has not been brought into conformity with Federal or California emission requirements cannot be registered in California. A new vehicle, as defined in Section 43154 of the California Health and Safety Code (one which is less than two years old), must have been certified by CARB in order to be registered in California.

We appreciate your cooperation in the enforcement of the joint Customs-EPA regulations.

Sincerely yours,

Mary T. Smith
Mary T. Smith, Chief
Manufacturers Programs Branch

cc: RAUL MERLINO
9224 WEST OLYMPIC BLVD
BEVERLY HILLS, CA 90212

NOTE TO IMPORTER: This is an important document. Please keep a copy with the vehicle registration at all times.

-B

iv. 7/86



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III
Governor

Northern Virginia Regional Office
13901 Crown Court
Woodbridge, VA 22193-1453
(703) 583-3800 fax (703) 583-3801
<http://www.deq.state.va.us>

Dennis H. Treacy
Director

John Paul Woodley, Jr.
Secretary of Natural Resources

Gregory L. Clayton
Regional Director

[DATE]

[Citizen's Name]
[Address]
[City, State, Zip]

Dear [Name]:

I have enclosed an exemption memorandum which you may send to the Virginia Department of Motor Vehicles in order to obtain your vehicle registration without the emissions inspection. This exemption is based on the understanding that your vehicle is a non-U.S. model vehicle which was not manufactured to meet emissions standards set or approved by the federal government.

I have also enclosed a copy of the memorandum which should be kept with your other importation documents for future reference as may be necessary. If you need to contact the Department reference this matter, please include the "control number" in the upper right corner of the memorandum.

If you have any questions or need additional information, please don't hesitate to contact the Mobile Source Operations Section at (703) 583-3900 or toll-free in Virginia at 1-800-275-3844.

Sincerely,

J. Michael Thompson, Jr.
Program Manager

JMT/
c:



Control Number: MSOS-NC-yy-xxx

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Northern Virginia Regional Office
13901 Crown Court
Woodbridge, VA 22193-1453
(703) 583-3800 fax (703) 583-3801
<http://www.deq.state.va.us>

Dennis H. Treacy
Director

Gregory L. Clayton
Regional Director

March 12, 1999

Memorandum

To: Virginia Department of Motor Vehicles

From: J. Michael Thompson, Jr.
Program Manager

Subject: Exempted Vehicle

A representative of this office has reviewed the importation documentation of the vehicle identified below, has determined that it was not manufactured to meet emissions standards set or approved by the federal government and thus meets the exemption criteria of Section 46.2-1177, Sub-Paragraph 3, of the Air Pollution Control Law of Virginia. Therefore, an emissions inspection is not required under the current Virginia Vehicle Emissions Inspection Program in order to be registered.

Vehicle Year/Make/Model:
Vehicle Identification Number:
Verified by:

Please allow this vehicle to be registered without a Vehicle Emissions Inspection Report. If there are any questions, please feel free to contact this office at (703) 583-3900.

JMT/
c.c: file:

