

Exporting a Motor Vehicle

Interpretation and Application of 19 CFR Part 192

Section 192.1 Definitions

The following are general definitions for the purposes of CFR 192.2:

Certified. "Certified" when used with reference to copy means a document issued by an authorized government authority that includes on it a signed statement by the authority that the copy is an authentic copy of the original.

Copy. "Copy" refers to a duplicate or photocopy of an original document. When there is any writing on the backside of an original document, a "complete copy" means that both sides of the document are copied.

Export. "Export" refers to the transportation of merchandise out of the U.S. for the purpose of being entered into the commerce of a foreign country.

Self-Propelled Vehicle. "Self-propelled" vehicle includes any automobile, truck, tractor, bus, motorcycle, motor home, self-propelled agricultural machinery, self-propelled construction equipment, self-propelled special use equipment, and any other self-propelled vehicle used or designed for running on land but not rail.

Ultimate Purchaser. "Ultimate Purchaser" means the first person, other than a dealer purchasing in his capacity as a dealer, who in good faith purchases a self-propelled vehicle for purposes other than resale.

Used. "Used" refers to any self-propelled vehicle the equitable or legal title to which has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

Documentary Status

It is the responsibility of the reviewing inspector to ensure that an original certificate of title is presented as provided for in 19 CFR 192.2 (b). The certificate of title is the core requirement in the Customs export process, regardless of the vehicle's economic value, physical condition, or operating order.

Structure of the Regulations

Procedurally, all exporters or their agents who present a document to Customs are to begin at 19 CFR 192.2 (b) (1) and then progress through each subsection until the exporter arrives at the section and subsection(s) that apply to the vehicle that has been presented to Customs for export. This procedure ensures that no requirement is misinterpreted, misapplied, or circumvented by either the exporter or the reviewing Customs officer.

Section 192.2 Requirements for Exportation

1. Basic requirements

A person attempting to export a used self-propelled vehicle shall present to Customs, at the port of exportation, both the vehicle and the required documentation describing the vehicle to include the VIN or, if the vehicle does not have a VIN, the product identification number (PIN). Exportation of a vehicle will be permitted only upon compliance with these requirements, unless the vehicle was entered into the United States under an in-bond procedure, a carnet, a Temporary Importation Bond, or under a personal exemption for non-residents who entered the vehicle for a 1-year period.

Documentation required

- **When presented**

Exportation by vessel or aircraft. For those vehicles exported by vessel or aircraft, the required documentation and the vehicle must be presented to Customs at least 72 hours prior to export.

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- **Exportation at land border crossing points.** For those vehicles exported by rail, highway, or under their own power. The required documentation must be submitted to Customs at least 72 hours prior to export; and

1. The vehicle must be presented to Customs at the time of exportation.

Where presented

- Careful attention should be paid to 19 CFR 192.2 (d), "Where presented." Port Directors will establish locations at which exporters must present the required documentation and the vehicles for inspection. Port Directors will publicize these locations, including their hours of operation.

Authentication of documentation

- Customs will determine the authenticity of the documents submitted. Once determined, Customs will mark the original documents. In most cases the original document(s) will be returned to the exporter. In those cases where the original title document was presented to and retained by Customs and cannot be found prior to the vehicle's export, the exporter's authenticated copy of the original documentation serves as evidence of compliance with the reporting requirements.

2. For U.S. Titled Vehicles

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- **Vehicles issued an original certificate of title.** For used, self-propelled vehicles issued, by any jurisdiction in the United States, a Certificate of Title or a Salvage Title that remains in force, the owner must provide to Customs the original Certificate of Title or a Certified Copy of the Certificate of Title and two complete copies of the original Certificate of Title or the Certified Copy of the original.

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- **Where title evidences third-party**

ownership/claims. If the used, self-propelled vehicle is leased or a recorded lien exists in the U.S., in addition to complying with paragraph (b)(1)(i) of this section, the provisional owner must provide to Customs a separate writing from the third-party-in interest which expressly provides that the subject vehicle may be exported. This writing must be on the third-party's letterhead paper and contain a complete description of the vehicle including the Vehicle Identification Number (VIN), the name of the owner or lienholder of the leased vehicle,

and the telephone numbers at which that owner or lienholder may be contacted and must bear an original signature of the third-party and state the date it was signed.

- **Where U.S. Government Employees are involved.** If the used self-propelled vehicle is owned by a U. S. Government Employee and is being exported in conjunction with that employee's reassignment abroad pursuant to official travel orders, then, in lieu of complying with paragraph (b)(1)(i) of this section, the employee may be required to establish that he has complied with the sponsoring agency's internal travel department procedures for vehicle export.

- **For Foreign-Titled Vehicles**

For used, self-propelled vehicles that are registered or titled abroad, the owner must provide to Customs the original document that provides satisfactory proof of ownership (with an English translation of the text if the original language is not in English), and two complete copies of that document (and translation, if necessary).

- **For Untitled Vehicles**

Newly manufactured vehicles, issued a Manufacturer's Statement of Origin (SO). For newly manufactured, self-propelled vehicles that are purchased from a U.S. manufacturer, distributor, or dealer that become used (see section 4.1) and are issued an SO, but not issued a certificate of title by any jurisdiction of the United States, the owner must provide to Customs at the time and place specified in this section, an original SO and two complete copies of the original SO.

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- **Newly manufactured vehicles not issued an SO.** For newly-manufactured, self-propelled vehicles purchased from a U.S. manufacturer, distributor, or dealer that become used (see section 4.1) and not issued an SO or a Certificate of Title by any jurisdiction of the United States, **THE OWNER MUST ESTABLISH THAT THE JURISDICTION FROM WHERE THE VEHICLE COMES DOES NOT HAVE ANY OWNERSHIP DOCUMENTATION REQUIREMENTS REGARDING SUCH VEHICLES** and provide to Customs, at the time and place specified in this section, an original document that proves ownership, such as a dealer's invoice, and two complete copies of such original documentation.
- **Vehicles issued a junk or scrap certificate.** For vehicles for which a junk or scrap certificate, issued by any jurisdiction of the U. S., remains in force, the owner must provide to Customs the original certificate or a certified copy of the original document and two

complete copies of the original document or certified copy of the original.

- **Vehicles issued a title or certificate that is not in force or are otherwise not registered.** For vehicles that were issued, by any jurisdiction of the U.S., a title or certificate that is no longer in force, or that are not required to be titled or registered, and for which an SO was not issued, **THE OWNER MUST ESTABLISH THAT THE JURISDICTION FROM WHERE THE VEHICLE COMES DOES NOT HAVE ANY OWNERSHIP DOCUMENTATION REQUIREMENTS REGARDING SUCH VEHICLES** and provide to Customs the original document that shows the basis for ownership or right of possession, such as a bill of sale, and two complete copies of that original document. Further, the owner must certify in writing to Customs that the procurement of the vehicle was a bona fide transaction, and that the vehicle presented for export is not stolen.