

§ 551.52

§ 551.52 How long will a foreign manufacturer's designation of agent remain in effect?

(a) A designation of agent remains in effect until replaced or withdrawn by a foreign manufacturer.

(b) A foreign manufacturer that has withdrawn but not replaced its agent may not continue to import motor vehicles or motor vehicle equipment into the United States. In order to do so, it must appoint a new agent in accordance with the requirements of this subpart.

FORM AND CONTENTS OF DESIGNATION

§ 551.53 What is the required format for a designation?

(a) All documents submitted under this subpart must be:

- (1) Original documents;
- (2) Written in English; and
- (3) Signed in ink.

(b) For each signature, the document must indicate in English:

- (1) The date of signature; and
- (2) The name and title of the individual who signed the document.

(c) As long as documents submitted by a foreign manufacturer and its agent contain all required information (identified in §§ 551.54, 551.55 and 551.56 below), there is no mandatory format for the designation

(d) NHTSA encourages foreign manufacturers to use the suggested designation form set forth in the appendix to this subpart. If completed and executed properly by both a foreign manufacturer and its agent, this form will comply fully with the requirements of §§ 551.53 through 551.65.

§ 551.54 What are the required contents for a designation?

The suggested designation form set forth in the Appendix, if completed and signed properly by a foreign manufacturer and its agent, contains all of the information necessary to create a valid designation under this subpart. Specifically, a valid designation must contain:

- (a) A Designation by Foreign Manufacturer; and
- (b) An Acceptance by Agent.

49 CFR Ch. V (10-1-24 Edition)

§ 551.55 What information must a Designation by Foreign Manufacturer contain?

A Designation by Foreign Manufacturer must contain:

(a) A statement that the designation is in valid form and binding on the foreign manufacturer under the laws, corporate bylaws or other requirements governing the making of designations at the place and time where it is made;

(b) The full legal name, principal place of business and mailing address of the foreign manufacturer;

(c) All trade or brand names, marks, logos or other designations of origin under which the foreign manufacturer's products will be sold; and

(d) The signature in ink, and the name and title of the official or employee signing the designation on behalf of the foreign manufacturer, who must have authority to appoint an agent.

§ 551.56 What information must an Acceptance by Agent contain?

An Acceptance by Agent must contain:

(a) The full legal name, mailing address and telephone number of the agent;

(b) A statement that the agent accepts the designation and understands that (s)he may not assign performance of the agent's functions under the designation to another person or entity, and that the designation shall remain in effect until it is withdrawn or replaced by the foreign manufacturer;

(c) The signature in ink of the agent, or an official or employee of the domestic firm or corporation serving as the agent, who must authority to sign for the firm or corporation; and

(d) The name and title of the individual signing the acceptance.

§ 551.57 Who may sign the Designation by Foreign Manufacturer?

Only an official or employee of the foreign manufacturer with authority to appoint an agent may sign the Designation by Foreign Manufacturer.

§ 551.58 Who may sign the Acceptance by Agent?

Only the agent, in the case of an individual, or an official or employee, in