

chapter within a reasonable time (specified by the Secretary of Transportation) after the vehicle is imported; or

(B) will be exported (at no cost to the United States Government) by the Secretary of the Treasury or abandoned to the Government.

(2) The amount of the bond provided under this subsection shall be at least equal to the dutiable value of the motor vehicle (as determined by the Secretary of the Treasury) but not more than 150 percent of that value.

(e) FEE REVIEW, ADJUSTMENT, AND USE.—The Secretary of Transportation shall review and make appropriate adjustments at least every 2 years in the amounts of the fees required to be paid under subsection (a)(3) of this section. The Secretary of Transportation shall establish the fees for each fiscal year before the beginning of that year. All fees collected remain available until expended without fiscal year limit to the extent provided in advance by appropriation laws. The amounts are only for use by the Secretary of Transportation—

(1) in carrying out this section and sections 30146(a)–(c)(1), (d), and (e) and 30147(b) of this title; and

(2) in advancing to the Secretary of the Treasury amounts for costs incurred under this section and section 30146 of this title to reimburse the Secretary of the Treasury for those costs.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 960; Pub. L. 103–429, §6(23), Oct. 31, 1994, 108 Stat. 4380.)

HISTORICAL AND REVISION NOTES
PUB. L. 103–272

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|----------------------------|---|
| 30141(a) | 15:1397(c)(3)(A), (C)(i). | Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §108(c)(2), (3)(A)–(D); added Oct. 31, 1988, Pub. L. 100–562, §2(b), 102 Stat. 2818. |
| 30141(b) | 15:1397(c)(3)(C)(ii)–(iv). | |
| 30141(c) | 15:1397(c)(3)(D). | |
| 30141(d) | 15:1397(c)(2). | |
| 30141(e) | 15:1397(c)(3)(B). | |

In subsection (a)(1)(A)(iv), the words “prescribed under this chapter” are substituted for “Federal” for consistency in this chapter.

In subsection (a)(3), before clause (A), the words “any other fees” are substituted for “such other annual fee or fees” to eliminate unnecessary words. In clause (B), the words “this subchapter” are substituted for “this section” for clarity. See H. Rept. No. 100–431, 100th Cong., 1st Sess., p. 19 (1987).

In subsection (b)(1), the words “procedures for making a decision under subsection (a)(1) of this section” are substituted for “procedures for considering such petitions” and “procedures for determinations made on the Secretary’s initiative” because of the restatement. The words “(whether or not confidential)” are omitted as unnecessary because of the restatement.

In subsection (b)(2), the word “permits” is substituted for “shall be sufficient authority” for clarity. The word “conditions” is omitted as being included in “terms”.

In subsection (c)(1), before clause (A), the words “under this subsection” are added for clarity. The word “including” is substituted for “include, as a minimum” to eliminate unnecessary words. In clause (B), the words “(relating to discovery, notification, and remedy of defects)” are omitted as surplus.

In subsection (c)(3), the words “directly or indirectly” are omitted as unnecessary because of the restatement.

In subsection (d)(1), before clause (A), the word “conditions” is omitted as being included in “terms”.

PUB. L. 103–429

This amends 49:30141(c)(4)(A) and 30165(a) to correct erroneous cross-references.

Editorial Notes

AMENDMENTS

1994—Subsec. (c)(4)(A). Pub. L. 103–429 substituted “any of sections 30112” for “section 30112” and inserted “any of” before “those sections”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–429 effective July 5, 1994, see section 9 of Pub. L. 103–429, set out as a note under section 321 of this title.

§ 30142. Importing motor vehicles for personal use

(a) GENERAL.—Section 30112(a) of this title does not apply to an imported motor vehicle if—

(1) the vehicle is imported for personal use, and not for resale, by an individual (except an individual described in sections 30143 and 30144 of this title);

(2) the vehicle is imported after January 31, 1990; and

(3) the individual takes the actions required under subsection (b) of this section to receive an exemption.

(b) EXEMPTIONS.—(1) To receive an exemption under subsection (a) of this section, an individual must—

(A) provide the Secretary of the Treasury (acting for the Secretary of Transportation) with—

(i) an appropriate bond in an amount determined under section 30141(d) of this title;

(ii) a copy of an agreement with an importer registered under section 30141(c) of this title for bringing the motor vehicle into compliance with applicable motor vehicle safety standards prescribed under this chapter; and

(iii) a certification that the vehicle meets the requirement of section 30141(a)(1)(A) or (B) of this title; and

(B) comply with appropriate terms the Secretary of Transportation imposes to ensure that the vehicle—

(i) will be brought into compliance with those standards within a reasonable time (specified by the Secretary of Transportation) after the vehicle is imported; or

(ii) will be exported (at no cost to the United States Government) by the Secretary of the Treasury or abandoned to the Government.

(2) For good cause shown, the Secretary of Transportation may allow an individual additional time, but not more than 30 days after the day on which the motor vehicle is offered for import, to comply with paragraph (1)(A)(ii) of this subsection.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 962.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 30142(a) | 15:1397(f)(1). | Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(f); added Oct. 31, 1988, Pub. L. 100-562, §2(b), 102 Stat. 2822. |
| 30142(b) | 15:1397(f)(2). | |

In subsection (a)(2), the words “after January 31, 1990” are substituted for “after the effective date of the regulations initially issued to implement the amendments made to this section by the Imported Vehicle Safety Compliance Act of 1988” for clarity. See 49 C.F.R. part 591.

In subsection (a)(3), the words “the individual takes the actions required under subsection (b) of this section” are substituted for “if that individual takes the actions required by paragraph (2)” for clarity and because of the restatement.

In subsection (b)(1), the word “compliance” is substituted for “conformity” for consistency in this chapter.

In subsection (b)(1)(B), before subclause (i), the word “conditions” is omitted as being included in “terms”.

§ 30143. Motor vehicles imported by individuals employed outside the United States

(a) DEFINITION.—In this section, “assigned place of employment” means—

(1) the principal location at which an individual is permanently or indefinitely assigned to work; and

(2) for a member of the uniformed services, the individual’s permanent duty station.

(b) GENERAL.—Section 30112(a) of this title does not apply to a motor vehicle imported for personal use, and not for resale, by an individual—

(1) whose assigned place of employment was outside the United States as of October 31, 1988, and who has not had an assigned place of employment in the United States from that date through the date the vehicle is imported into the United States;

(2) who previously had not imported a motor vehicle into the United States under this section or section 108(g) of the National Traffic and Motor Vehicle Safety Act of 1966 or, before October 31, 1988, under section 108(b)(3) of that Act;

(3) who acquired, or made a binding contract to acquire, the vehicle before October 31, 1988;

(4) who imported the vehicle into the United States not later than October 31, 1992; and

(5) who satisfies section 108(b)(3) of that Act as in effect on October 30, 1988.

(c) CERTIFICATION.—Subsection (b) of this section is carried out by certification in the form the Secretary of Transportation or the Secretary of the Treasury may prescribe.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 963.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|----------------------------------|--|
| 30143(a) | 15:1397(g) (3d, last sentences). | Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(g); added Oct. 31, 1988, Pub. L. 100-562, §2(b), 102 Stat. 2823. |

HISTORICAL AND REVISION NOTES—CONTINUED

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------------|----------------------------|
| 30143(b), (c) | 15:1397(g) (1st, 2d sentences). | |

In subsection (b), before clause (1), the words “(including a member of the uniformed services)” are omitted as unnecessary because of the restatement. In clause (1), the words “from that date through the date the vehicle is imported into the United States” are substituted for “that date and the date of entry of such motor vehicle” for clarity and consistency in this chapter. In clause (2), the words “under this section or section 108(g) of the National Traffic and Motor Vehicle Safety Act of 1966” are substituted for “this subsection” to preserve the exemption for motor vehicles imported under the source provisions between October 30, 1988, and the effective date of this restatement. In clause (4), the word “imports” is substituted for “enters” for clarity and consistency in this chapter. In clause (5) the word “satisfies” is substituted for “meets the terms, conditions, and other requirements . . . under” to eliminate unnecessary words.

Editorial Notes

REFERENCES IN TEXT

Subsections (b)(3) and (g) of section 108 of the National Traffic and Motor Vehicle Safety Act of 1966, referred to in subsec. (b)(2), (5), are subsecs. (b)(3) and (g) of section 108 of Pub. L. 89-563, which were classified to subsecs. (b)(3) and (g), respectively, of section 1397 of Title 15, Commerce and Trade, were repealed and reenacted in sections 30112(b)(1)–(3) and 30143, respectively, of this title by Pub. L. 103-272, §1(e), 7(b), July 5, 1994, 108 Stat. 945, 963, 1379.

§ 30144. Importing motor vehicles on a temporary basis

(a) GENERAL.—Section 30112(a) of this title does not apply to a motor vehicle imported on a temporary basis for personal use by an individual who is a member of—

(1)(A) the personnel of the government of a foreign country on assignment in the United States or a member of the Secretariat of a public international organization designated under the International Organizations Immunities Act (22 U.S.C. 288 et seq.); and

(B) the class of individuals for whom the Secretary of State has authorized free importation of motor vehicles; or

(2) the armed forces of a foreign country on assignment in the United States.

(b) VERIFICATION.—The Secretary of Transportation or the Secretary of the Treasury may require verification, that the Secretary of Transportation considers appropriate, that an individual is a member described under subsection (a) of this section. The Secretary of Transportation shall ensure that a motor vehicle imported under this section will be exported (at no cost to the United States Government) or abandoned to the Government when the individual no longer—

(1) resides in the United States; and

(2) is a member described under subsection (a) of this section.

(c) SALE IN THE UNITED STATES.—A motor vehicle imported under this section may not be sold when in the United States.