



U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security
AREA PORT OF HOUSTON-GALVESTON

PUBLIC INFORMATION NOTICE

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FOR FURTHER INFORMATION

CALL: Supervisor CBP Officer N. Green
713-454-8002

SUBJECT: Procedures For Exporting Used Vehicles

19 CFR 192, 19 USC 66, 1624, 1627a, 1646a, 1646b, 1646c

BACKGROUND

On April 6, 1999, a Final Rule was published in the Federal Register amending the CBP Regulations to implement Title IV of the Anti Car Theft Act of 1992 (Pub.L. 102-519, 106 Stat. 3384). The amendments concern the exportation of used self-propelled vehicles, the nature of the documentation that establishes ownership of a vehicle bound for export and the presentation of documentation to U. S. Customs and Border Protection (**CBP**). The document also clarified procedures to enable CBP to more efficiently and effectively deter the export of stolen vehicles. The amended regulations were effective May 6, 1999. In November 1999, the U.S. Customs and Border Protection (**CBP**), Office of Field Operations further clarified sections of 19 C.F.R. 192 pertaining to reporting requirements and exemptions for government employees travelling on official orders. Exporters (or their authorized agents) of used self-propelled vehicles being exported from the Area Port of Houston/Galveston will be guided by the updated procedures outlined below.

PROCEDURES

A. DEFINITIONS

1. Certified. Certified when used with reference to a copy means a document issued by a government authority that includes on it a signed statement by the authority that the copy is an authentic copy of the original.
2. Copy. Copy refers to a duplicate or photocopy of an original document. Where there is any writing on the backside of an original document, a complete copy means that both sides of the document are copied.

DISCLAIMER: This information has been prepared for your convenience by the CBP officers at the Port of Houston/Galveston. This material is intended to provide guidance. Recognizing that many complicated factors are involved in Customs & Border Protection matters, an importer may wish to obtain a binding ruling under 19 CFR Part 177. Reliance solely on this information may not be considered reasonable care. Importers are referred to Treasury Decision 97-96, which was published in the Federal Register of December 4, 1997, and in the Customs Bulletin of December 17, 1997, for in-depth information on the concept of reasonable care.

3. 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.
4. Title Record, Title Summary, Title Abstract, or similar name. The title record, title summary, etc., is a Department of Motor Vehicles (DMV) – generated computer printout of the vehicle’s title data that is then certified by the DMV with a seal and original signature of the certifying official.
5. 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.
6. 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.

B. BASIC REQUIREMENTS

A person attempting to export a used self-propelled vehicle shall present to U. S. Customs and Border Protection (**CBP**), at the port of exportation, both the vehicle and the required documentation describing the vehicle to include the Vehicle Identification Number (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 personal exemption for non-residents who entered the vehicle for a 1-year period. **(NOTE: When entered using an in-bond procedure or personal exemption, vehicles are exempt from the requirements of 19 C.F.R. 192.2. The in-bond documents should be processed according to normal procedures.)** The person attempting to export the vehicle may employ an agent for the exportation of the vehicle.

Several states will not issue a certified copy of the certificate of title under certain circumstances. In some states, the certified copy becomes the negotiable instrument if an original title has been lost, destroyed, damaged, or has become illegible. These states will not issue a certified copy if the original is still available. Similarly, if a recorded lien exists and the original title is held by the lienholder, a state DMV will not issue a certified copy.

In these situations, CBP will accept another document (known as a copy of the title record, title record, title summary, title abstract, or similar name) to meet the ownership document requirements of 19 CFR 192.2 (b)(1). The copy of the title record is a DMV generated computer printout of the vehicle’s title data that is then certified by the DMV with a seal and original signature of the certifying official. *Only documents issued by the state DMV – the same government authority that issued the original certificate of title – will be accepted by CBP.*

Part 401 of Title IV of the Anti Car Theft Act of 1992 requires CBP to conduct random checks of vehicles to ensure that reported VIN information matches the VINs on vehicles being exported. Area Port Directors have the authority to establish locations at which exporters must present required documentation and vehicles for inspection. The Area Port Director is to establish CBP locations at which the proper documentation and vehicles are to be presented. The Area Port Director cannot delegate these locations to a non-CBP facility such as the exporter's or forwarder's premises.

C. DOCUMENTATION REQUIRED

1. For U.S. titles vehicles.

- (a) 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 CBP, at the time and place specified below, 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 certified copy of the original.

Note: See definition of Certified Copy. A notarized copy of these required documents will not be accepted.

- (b) 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 (a) above, the provisional owner must provide to CBP an approval letter 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 VIN, the name of the owner or lienholder, and the telephone numbers at which that owner or lienholder may be contacted. The writing must bear an original signature of the third party and state the date it was signed.

If the vehicle has a recorded lien and the lienholder issues a letter authorizing the vehicle to be exported but will not release the original certificate of title, the exporter may satisfy the requirements of 19 CFR 192 by securing a certified copy of the title or copy of the title record. Certified copies of the certificate of title that have been obtained by the lienholder from the state DMV on behalf of the exporter are acceptable for presentation to CBP. A certified or notarized copy issued by the lienholder is NOT acceptable. The copy of the title record must be presented to CBP together with the letter of authorization from the lienholder.

- (b) 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 (a) above, the employee may be required to

establish that he has _____ complied with the sponsoring agency's internal travel department procedures for vehicle export.

U.S. Government employees travelling on official orders must still notify CBP if exporting a vehicle. To ensure proper notification, the following procedures have been developed for primary and secondary vehicles exported under 19 CFR 192.2.

The primary vehicle is the automobile that will be moved at government expense in conjunction with official U.S. Government travel orders. CBP requires copies of the following documents for the vehicle: (1) the official travel orders and if the vehicle is leased or has a recorded lien, the exporter must comply with the lease or lienholder requirements of Section C.1. (b) outlined above.

Secondary vehicles are additional, privately owned vehicles (POVs) that are exported at the government employee's personal arrangement, expense and liability. If these POVs are listed with the primary vehicle on the employee's official U.S. Government travel orders, the requirements and procedures to export them will be the same as for the primary vehicle.

If the secondary vehicles are not listed with the primary vehicle on the travel orders, their export is considered to be an independent shipment. The secondary vehicles are then reportable to CBP and all requirements of 19 CFR 192 apply and must be satisfied.

Exportation of used, self-propelled vehicles by sea or air requires the carrier to indicate on the bill of lading or air waybill that the vehicle is exported in accordance with the official government travel orders per the requirements of 19 CFR 192.2(b)(1)(iii). The carrier will also verify the possession of official government travel orders by the exporter.

Department of Defense employees on official travel orders exporting personally owned vehicles are required to present the vehicle titles or registrations at the DOD processing center. If a lien release is required, appropriate documents must accompany a valid vehicle registration, which contains the owner's name. If no lien exists, a title in the owner's name, clear of any liens will be presented. Once verified by DOD personnel, a copy of these documents will be placed in each vehicle's glove compartment and the vehicles will be transported to the port of export. When the carrier receives the vehicle a copy of the dock receipt or an information sheet signed by the exporting carrier will be forwarded to CBP as outlined in Section E.1 of the Trade Bulletin.

2. For foreign-titles vehicles. For used, self-propelled vehicles that are registered or title abroad, the owner must provide to CBP, at the time and place specified below, 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).
3. For untitled vehicles.

- (a) Newly manufactured vehicles issued an MSO. For newly manufactured, self-propelled vehicles that are purchased from a U.S. manufacturer, distributor, or dealer that become used, as defined in Section A.6. above, and are issued a Manufacturer's Statement of Origin (MSO), but not issued a Certificate of Title by any jurisdiction of the United States, the owner must provide to CBP, at the time and place specified below, the original MSO and two complete copies of the original MSO.
- (b) Newly manufactured vehicles not issued an MSO. For newly manufactured, self-propelled vehicles purchased from a U.S. manufacturer, distributor, or dealer that become used, as defined in this Section A.6. above, and not issued an MSO 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 CBP at the time and place specified below, an original document that proves ownership such as a dealer's invoice and two complete copies of such original documentation.
- (c) Vehicles issued a junk or scrap certificate. For used, self-propelled vehicles for which a junk or scrap certificate issued, by any jurisdiction of the United States, remains in force, the owner must provide to CBP, at the time and place specified below, the original certificate or a certified copy of the original document and two complete copies of the original document or certified copy.
- (d) Vehicles issued a title or certificate that is not in force or are otherwise not registered. For used, self-propelled vehicles that were issued, by any jurisdiction of the United States, a title or certificate that is no longer in force, or that are not required to be titled or registered, and for which an MSO 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 CBP, at the time and place specified below, 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 CBP that the procurement of the vehicle was a bona fide transaction, and that the vehicle presented for export is not stolen.

D. WHEN PRESENTED. While there is no requirement that the mandatory documentation and the vehicle be presented at the same time, the documentation must be to CBP and the vehicle in the carrier's possession at least 72 hours prior to export. The purpose of requiring the documentation at least 72 hours before export of the vehicle is so that CBP can crosscheck the VIN with information entered into the NCIC on stolen vehicles. The purpose of requiring the vehicle to be in the

carrier's possession at least 72 hours before export is to allow CBP officers the time necessary to examine the vehicle. The minimum statutory 72 hours requirement does not include weekends and Federal Holidays. It is suggested that the documentation be presented at least 72 hours prior to the start of any holiday weekend, to ensure the documents are processed timely and the vehicle export not delayed. **THERE ARE NO EXCEPTIONS TO THE 72-HOUR REQUIREMENT. THERE ARE NO EMERGENCY SITUATIONS THAT CIRCUMVENT THIS REQUIREMENT.**

E. WHERE PRESENTED. Under the amended regulations, Area Port Directors will establish locations at which exporters must present the required used self-propelled vehicle documentation for inspection.

1. Vehicle Presentation. Due to the logistics of the Port of Houston/Galveston, presentation of the vehicles for inspection at a single site or several sites within the port is not practical. In order for CBP to efficiently carry out its VIN inspection responsibility, the exporting carrier must issue a document that acknowledges its possession of the vehicle and contains information that identifies the vehicle.

Since there is no requirement that the title documents and the vehicle be presented at the same time, the acknowledgment of possession by the carrier may be included with those title documents presented to CBP or presented separately. When presented separately, the acknowledgment of possession should include the receipt number issued by CBP at the time the title documentation was submitted to help expedite the processing and if necessary, the vehicle inspection. In all cases, however, the title documentation must be submitted to CBP and the vehicle in the carrier's possession at least 72 hours prior to export.

To satisfy the acknowledgement of carrier possession, the exporter or agent may submit a copy of the dock receipt or an information sheet signed by the exporting carrier. Attached to this Public Information Notice (PIN) is an example of an information sheet with the type of information required from the carrier.

In addition to acknowledging carrier receipt of the vehicle and establishing the location of the vehicle, the information sheet or the dock receipt will serve as a release from CBP to the carrier that the vehicle is cleared for export.

It is requested that two copies of the information sheet or the dock receipt be included with the title documents. Either the information sheet or the dock receipt will be given a unique number to identify the vehicle shipment. One copy will be returned to the exporter/agent as a receipt at the time the documentation is submitted for processing. The receipt copy of the information sheet or the dock receipt must be presented to retrieve the authenticated title documents.

The vehicle must be available for inspection from the time the exporting carrier receives the vehicle until the exporting carrier receives the release copy of the information sheet or the dock receipt. If needed, the carrier must make available the release copy of the information sheet or the dock receipt for review by any CBP officer prior to export of the vehicle in order to ensure CBP has processed the required vehicle documents. While not mandated, in order to facilitate this

review it is recommended that the carrier take the following actions.

- (a) In the case of unpacked vehicles, place a copy of the release in the upper left corner of the vehicle's windshield.
- (b) When shipped in any other manner, place a copy of the release on the outside of the container in a readily accessible place.

Further, it is suggested that non-residents exporting vehicles after their temporary stay in the United States give a copy of the Department of Transportation form HS-7, (Declaration for Importation of Motor Vehicles) to the carrier or display a copy of the HS-7 as indicated above.

If a vehicle has been delivered to the exporting carrier and is in the process of being exported, the carrier is required to notify the appropriate CBP Officer if the exporter attempts to cancel the vehicle export process and retrieve the vehicle.

2. Document Presentation for Processing

Ocean Exports: Vehicle documentation as outline in Section C above, along with two copies of the information sheet or the dock receipt may be presented by the exporter or the exporter's agent for processing Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. at the U.S. CBP and Border Protection Seaport Office located at **7141 Office City Drive, Houston, Texas 77087**. The ocean export title desk can be reached at 713-454-8090.

Documents may also be presented at the main office in Galveston or Freeport, for exports from those stations within the Area Port of Houston/Galveston. The Seaport Office (Office City Drive) is an alternate site for Galveston or Freeport. Due to the numerous problems with receiving proper title documentation, effective July 8, 2002, overnight mail packages are not accepted for title presentation.

Air Export Effective November 16, 2005 export documents for used vehicles involving **AIRFREIGHT** export shipments shall be submitted to U.S. CBP and Border Protection AIR CARGO ONE-STOP, located at **19581 Lee Rd. Humble, TX. 77338**, for processing by the Air Exodus Team. Export documents (i.e. vehicle title, Shipper's Export Declaration/SED, copy of the airway bill) shall be placed in the exodus mail slot, located at the CBP Air Cargo Office, IAH. When submitting export documents, please attach a cover sheet with a contact name and telephone number. After the documents are processed, an Officer will notify the submitting party when the export documents will be available for pickup. The Airport Exodus Team can be reached at 281-443-4350 ext. 246 or 248.

3. Authentication of documentation. CBP will determine the authenticity of the documents submitted. Once the authenticity of the documents is established, CBP will mark the 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 CBP prior to the export of the vehicle, the authenticated copy of the original documentation returned to the exporter serves as evidence of compliance with the reporting requirements.

4. Release to the Carrier. The authenticated information sheet or the dock receipt will be returned to the exporting carrier. This will serve as a release from CBP to the carrier allowing the vehicle to be exported. The authenticated release will be returned in one of two ways.

The carrier will be held responsible for ensuring that only vehicles with releases from CBP are exported.

5. Title Document Retrieval. The exporter or agent may retrieve processed documentation Monday through Friday between the hours of 8:00 a.m. and 3:30 p.m. from the carrier's mailboxes at the Seaport Office. Those exporters must present the receipt copy of the information sheet or the dock receipt to the title desk to retrieve the authenticated title documents. Documents presented in Galveston or Freeport may be retrieved at those offices.

F. DEPARTMENT OF COMMERCE REGULATIONS, AUTOMATED EXPORT SYSTEM (AES) FILERS AND THE 72-HOUR REQUIREMENT

The used vehicle exportation requirements provided for in the 19 C.F.R. 192 are separate and distinct from the Department of Commerce requirements for export commodity data. Commerce Regulations require the filing of a Shipper's Export Declaration (SED) for vehicles valued at more than \$2,500. If a party other than the exporter prepares the SED, a power of attorney must be initiated.

The requirements of 19 C.F.R. 192 cannot be satisfied through the Automated Export System (AES) filing of the commodity data contained in the Shipper's Export Declaration. Because CBP and Commerce regulations are different, the 72-hour clock does not begin when export vehicle data is filed via AES; it begins when the required documentation is presented to CBP.

G. INFORMATION

Further information concerning the exportation of used vehicles may be obtained by calling the Vehicle Title Desk at (713) 454-8090. This Information Notice supersedes any previous port policy and practices and supersedes Public Information Notice 02-39, dated July 01, 2002, Trade Bulletin 95-02, dated November 7, 1994, Trade Bulletin 99-HOU-07, dated May 10, 1999, Trade Bulletin 00-HOU-02, dated February 7, 2000, Trade Bulletin 00-HOU-06, dated July 7, 2000 and Trade Bulletin 02-HOU-01, dated October 22, 2001.

H. EFFECTIVE DATE

These updated procedures will be effective upon receipt.

/s/

Robert B. Keller
Acting Area Port Director

