

## MOTORCYCLE MANUFACTURER INTRODUCTION

Dear Motorcycle Manufacturer:

This package contains information concerning Federal laws and regulations of the Department of Transportation pertaining to the manufacture of motor vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for improving safety on the Nation's highways. As part of these responsibilities, NHTSA establishes and enforces Federal motor vehicle safety standards (FMVSS) which specify minimum levels of safety performance for motor vehicles. A part of our enforcement program is the monitoring of vehicles manufactured, sold, or imported into the United States to ensure that they comply with applicable FMVSS.

There are two basic category definitions for two and three wheeled motor vehicles;

**Motorcycle** is defined as a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

**Motor-driven cycle** is defined as a motorcycle with a motor that produces 5-brake horsepower or less. NHTSA Office of Chief counsel has determined that mopeds and motor-driven bicycles fall into this category.

49 U.S.C. 30112 requires all motor vehicles (including motorcycles and motor-driven cycles), to comply with all applicable FMVSS in effect on their date of manufacture. 49 U.S.C. 30165 provides that whoever violates Section 30112 or regulations issued thereunder, will be subject to a civil penalty not to exceed \$1,100 for each violation, or \$925,000 for any related series of violations. The FMVSS are found at Title 49, Code of Federal Regulations Part 571 (49 CFR 571).

49 CFR Part 567 requires that the manufacturer of a motor vehicle permanently affix a label certifying that it conforms to all applicable FMVSS.

If a manufacturer determines that any vehicle manufactured by it does not conform with an applicable FMVSS or contains a safety-related defect, 49 U.S.C. 30118 requires that the manufacturer notify NHTSA and affected vehicle owners and to remedy, without cost, the defect or failure to conform in accordance with 49 U.S.C. 30120. Specific instructions on furnishing notification to NHTSA and affected owners are contained in 49 CFR Parts 573 and 577.

Federal regulations concerning emission control devices and allowable noise level requirements are not the responsibility of the Department of Transportation. For guidance in this area, it is suggested that you write the Environmental Protection Agency, Manufacturers Operations Division, EN-340, 401 M Street, SW, Washington, DC 20460. Additional information may be received from Mr. Dwight Smith, EPA Mobile Vehicle Emissions Laboratory phone: (734) 214-4571.

Other useful information may be found at the NHTSA Internet home page.

*<http://www.nhtsa.dot.gov>*

Should you have any questions please contact Luke Loy on (202) 366-5308, fax: 202-366-1024, or e-mail to: [luke.loy@nhtsa.dot.gov](mailto:luke.loy@nhtsa.dot.gov)