

## MOTORCYCLE MANUFACTURER INFORMATION

**PURPOSE:**

To identify relevant Federal statutes and National Highway Traffic Safety Administration (NHTSA) standards and regulations affecting motor vehicles. This information sheet merely highlights the major requirements for manufacturers; each manufacturer should consult the specific statutes, regulations, and standards to determine its responsibilities. All references below to NHTSA regulations are found in "Title 49 of the Code of Federal Regulations Parts 400-999." Also included in this manual are Federal Motor vehicle Safety Standards (FMVSS) which are found at 49 CFR Part 571.

**FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) and REGULATIONS:**

Title 49 U.S.C. 30111 authorizes NHTSA to issue safety standards for new motor vehicles and new motor vehicle equipment. All motor vehicles and items of motor vehicle equipment manufactured or imported for sale in the United States must comply with all applicable FMVSS.

Information that must be submitted to NHTSA or applied to product by all motor vehicle or motor vehicle equipment manufacturers (equipment covered by FMVSS) offering products for use in the USA <b>NOTE:</b> Foreign motor vehicle equipment manufacturers (equipment covered by FMVSS) must designate an "Agent for Service of Process of Information" before offering products for use in the USA.		
Motor Vehicle Manufacturers	Required Submissions	Certification of Compliance
Domestic motorcycle and motor-driven cycle manufacturer	Part 565, Part 566	Must affix Part 567 Certification Label to vehicle.
Foreign motorcycle and motor-driven cycle manufacturer	Part 551.45, Part 565, Part 566	Must affix Part 567 Certification Label to vehicle.

Manufacturers of motor vehicles (*including motorcycles and motor-driven cycles*) must certify compliance of their products in accordance with Part 567, *Certification*.

49 U.S.C. 30122 prohibits manufacturers, distributors, dealers, or motor vehicle repair businesses from knowingly making inoperative any part of a device or element of design installed on or in a motor vehicle or item of motor vehicle equipment in compliance with an applicable Federal motor vehicle safety standard. 49 U.S.C. 30113 provides limited grounds for NHTSA to grant a motor vehicle manufacturer a temporary exemption from compliance with one or more of the safety standards. The procedures for a temporary exemption are found at 49 CFR 555.

**DESIGNATION OF AGENT FOR FOREIGN MANUFACTURERS:** Part 551, *Procedural Rules*, requires all manufacturers offering motor vehicles or equipment for importation into the United States to designate a permanent resident of the United States as the manufacturer's agent for service of all process, notices, orders, and decisions. This designation must be mailed to the NHTSA Chief Counsel, 400 7<sup>th</sup> St. SW, Washington, D.C. 20590. See sample at end of this information package.

**VEHICLE IDENTIFICATION NUMBER (VIN):** Part 565, *Vehicle Identification Number*, requires each motorcycle/motor-driven cycle to have a VIN. The content requirements for the VIN are in Part 565.6. Manufacturers must submit a breakdown of its VIN to the NHTSA, VIN Coordinator, (address page 10) see Part 565.7(e). See sample VIN submission at end of this information package.

**MANUFACTURER IDENTIFICATION:** Part 566, *Manufacturer Identification*, requires manufacturer of motorcycle/motor-driven cycle vehicles or equipment, to which a FMVSS applies, to submit information identifying itself and its products to NHTSA no later than 30 days after it begins production of that product. This information must be mailed to the NHTSA Chief Counsel, 400 7<sup>th</sup> St. SW, Washington, D.C. 20590. See sample Manufacturer Identification Submission, at end of this information package.

**CONSUMER INFORMATION:** Part 575, *Consumer Information*, requires manufacturers of motor vehicles to make specific information available to consumers, including the reporting of safety defects. See sample at end of this information package.

**TIRES and RIMS:** In addition to the safety standards for tires in FMVSS 119, manufacturers of tires should also consult Part 574, *Tire Identification and Recordkeeping*. Information concerning rims is found in FMVSS 120.

**SAFETY-RELATED DEFECTS AND NONCOMPLIANCES:** 49 U.S.C. 30118 requires manufacturers to notify purchasers of motorcycles/motor-driven cycles containing safety-related defects and failures to comply with the standards and 49 U.S.C. 30120 requires manufacturers to remedy such defects and noncompliance without charge. The following regulations relate to defect and noncompliance notification and remedy campaigns: Part 556, *Exemption for Inconsequential Defect or Noncompliance*; Part 573, *Defect and Noncompliance Reports*; Part 577, *Defect and Noncompliance Notification*; and Part 579, *Defect and Noncompliance Responsibility*. Part 576, *Record Retention*, sets forth requirements for motorcycle/motor-driven cycle manufacturers' retention of complaints, reports, and other records concerning safety-related motor vehicle malfunctions.

**VIOLATIONS:** Each violation is punishable by a civil penalty of up to \$1,100 per violation, with a maximum of \$925,000 for a related series of violations (49 U.S.C. 30165).