

(i) Each previous improper report (e.g., informational statement and document submission), and each failure to report as required under 49 U.S.C. 30166, including a regulation, requirement, request or order issued thereunder, for which protection is sought, and

(ii) The specific predicate under which the improper or omitted report should have been provided (e.g., the report was required by a specified regulation, NHTSA Information Request, or NHTSA Special Order).

(2) Submit the complete and correct information that was required to be submitted but was improperly submitted or was not previously submitted, including relevant documents that were not previously submitted, or, if the person cannot do so, provide a detailed description of that information and/or the content of those documents and the reason why the individual cannot provide them to NHTSA (e.g., the information or documents are not in the individual's possession or control).

(3) For a corporation, the submission must be signed by an authorized person (ordinarily, the individual officer or employee who submitted the improper report or who should have provided the report that the corporation failed to submit on behalf of the company, or someone in the company with authority to make such a submission).

(4) Submissions must be made by a means which permits the sender to verify promptly that the report was in fact received by NHTSA and the day it was received by NHTSA.

(5) Submit the report to Chief Counsel (NCC-10), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, SW., Washington, DC 20590.

[65 FR 81419, Dec. 26, 2000, as amended at 66 FR 38384, July 24, 2001]

PART 579—DEFECT AND NONCOMPLIANCE RESPONSIBILITY

- Sec.
- 579.1 Scope.
- 579.2 Purpose.
- 579.3 Application.
- 579.4 Definitions.
- 579.5 Defect and noncompliance responsibility.

AUTHORITY: Secs. 103, 108, 112, 113, Pub. L. 89-563, 80 Stat. 718; sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1392, 1397, 1401, 1411-1420; delegation of authority at 49 CFR 1.50).

SOURCE: 43 FR 38833, Aug. 31, 1978, unless otherwise noted.

§ 579.1 Scope.

This part sets forth the responsibilities under Part B of the Act of manufacturers for safety-related defects and noncompliances with Federal motor vehicle safety standards in motor vehicles and items of motor vehicle equipment.

§ 579.2 Purpose.

The purpose of this part is to facilitate the notification of owners of defective and noncomplying motor vehicles and items of motor vehicle equipment, and the remedy of defective and noncomplying vehicles and items of equipment, by equitably reappportioning the responsibility for safety-related defects and noncompliances with Federal motor vehicle safety standards among manufacturers of motor vehicles and motor vehicle equipment.

§ 579.3 Application.

This part applies to all manufacturers of motor vehicles and motor vehicle equipment.

§ 579.4 Definitions.

(a) *Original equipment* means an item of motor vehicle equipment (other than a tire) which was installed in or on a motor vehicle at the time of its delivery to the first purchaser if—

(1) The item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor for distribution; or

(2) The item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer.

(b) *Replacement equipment* means—

(1) Motor vehicle equipment other than original equipment as defined in paragraph (a) of this section; and

(2) Tires.

(c) *The Act* means the National Traffic and Motor Vehicle Safety Act of 1966, as amended.

§ 579.5

§ 579.5 Defect and noncompliance responsibility.

(a) Each manufacturer of a motor vehicle shall be responsible for any safety-related defect or any noncompliance determined to exist in the vehicle or in any item of original equipment.

(b) Each manufacturer of an item of replacement equipment shall be responsible for any safety-related defect or any noncompliance determined to exist in the equipment.

PART 580—ODOMETER DISCLOSURE REQUIREMENTS

Sec.

580.1 Scope.

580.2 Purpose.

580.3 Definitions.

580.4 Security of title documents and power of attorney forms.

580.5 Disclosure of odometer information.

580.6 [Reserved]

580.7 Disclosure of odometer information for leased motor vehicles.

580.8 Odometer disclosure statement retention.

580.9 Odometer record retention for auction companies.

580.10 Application for assistance.

580.11 Petition for approval of alternate disclosure requirements.

580.12 Petition for extension of time.

580.13 Disclosure of odometer information by power of attorney.

580.14 Power of attorney to review title documents and acknowledge disclosure.

580.15 Certification by person exercising powers of attorney.

580.16 Access of transferee to prior title and power of attorney documents.

580.17 Exemptions.

APPENDIX A TO PART 580—SECURE PRINTING PROCESSES AND OTHER SECURE PROCESSES

APPENDIX B TO PART 580—DISCLOSURE FORM FOR TITLE

APPENDIX C TO PART 580—SEPARATE DISCLOSURE FORM

APPENDIX D TO PART 580—DISCLOSURE FORM FOR LEASED VEHICLE

APPENDIX E TO PART 580—POWER OF ATTORNEY DISCLOSURE FORM

AUTHORITY: 49 U.S.C. 32705; delegation of authority at 49 CFR 1.50(f) and 501.8(e)(1).

SOURCE: 53 FR 29476, Aug. 5, 1988, unless otherwise noted.

§ 580.1 Scope.

This part prescribes rules requiring transferors and lessees of motor vehicles to make written disclosure to

49 CFR Ch. V (10–1–01 Edition)

transferees and lessors respectively, concerning the odometer mileage and its accuracy as directed by sections 408 (a) and (e) of the Motor Vehicle Information and Cost Savings Act as amended, 15 U.S.C. 1988 (a) and (e). In addition, this part prescribes the rules requiring the retention of odometer disclosure statements by motor vehicle dealers, distributors and lessors and the retention of certain other information by auction companies as directed by sections 408(g) and 414 of the Motor Vehicle Information and Cost Savings Act as amended, 15 U.S.C. 1990(d) and 1988(g).

§ 580.2 Purpose.

The purpose of this part is to provide purchasers of motor vehicles with odometer information to assist them in determining a vehicle's condition and value by making the disclosure of a vehicle's mileage a condition of title and by requiring lessees to disclose to their lessors the vehicle's mileage at the time the lessors transfer the vehicle. In addition, the purpose of this part is to preserve records that are needed for the proper investigation of possible violations of the Motor Vehicle Information and Cost Savings Act and any subsequent prosecutorial, adjudicative or other action.

§ 580.3 Definitions.

All terms defined in sections 2 and 402 of the Motor Vehicle Information and Cost Savings Act are used in their statutory meaning. Other terms used in this part are defined as follows:

Lessee means any person, or the agent for any person, to whom a motor vehicle has been leased for a term of at least 4 months.

Lessor means any person, or the agent for any person, who has leased 5 or more motor vehicles in the past 12 months.

Mileage means actual distance that a vehicle has traveled.

Original power of attorney means, for single copy forms, the document set forth by secure process which is issued by the State, and, for multicopy forms, any and all copies set forth by secure process which are issued by the State.

Secure printing process or other secure process means any process which deters