

fuels as transportation fuels by consumers, and the production of alternative fuel powered motor vehicles;

- (2) Consumer acceptability;
- (3) Economic practicability;
- (4) Technology;
- (5) Environmental impact;
- (6) Safety;
- (7) Driveability; and
- (8) Performance.

(h) If the Administrator grants the petition, the petitioner is notified in writing, specifying the reduced minimum driving range, and specifying the model years for which the reduced driving range applies. The Administrator also publishes a notice of the grant of the petition in the FEDERAL REGISTER and the reasons for the grant.

(i) If the Administrator denies the petition, the petitioner is notified in writing. The Administrator also publishes a notice of the denial of the petition in the FEDERAL REGISTER and the reasons for the denial.

[63 FR 66069, Dec. 1, 1998]

**§ 538.8 Gallon Equivalents for Gaseous Fuels.**

The gallon equivalent of gaseous fuels, for purposes of calculations made under 49 U.S.C. 32905, are listed in Table I:

TABLE I—GALLON EQUIVALENT MEASUREMENTS FOR GASEOUS FUELS PER 100 STANDARD CUBIC FEET

Fuel	Gallon equivalent measurement
Compressed Natural Gas .....	0.823
Liquefied Natural Gas .....	0.823
Liquefied Petroleum Gas (Grade HD-5)*	0.726
Hydrogen .....	0.259
Hythane (Hy5) .....	0.741

\* Per gallon unit of measure.

**§ 538.9 Dual fuel vehicle incentive.**

The application of 49 U.S.C. 32905(b) and (d) to qualifying dual fuel vehicles is extended to the 2005, 2006, 2007, and 2008 model years.

[69 FR 7703, Feb. 19, 2004]

**PART 541—FEDERAL MOTOR VEHICLE THEFT PREVENTION STANDARD**

Sec.

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APPENDIX A TO PART 541—LIGHT DUTY TRUCK LINES SUBJECT TO THE REQUIREMENTS OF THIS STANDARD

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APPENDIX C TO PART 541—APPENDIX C TO PART 541—CRITERIA FOR SELECTING LIGHT DUTY TRUCK LINES LIKELY TO HAVE HIGH THEFT RATES

AUTHORITY: 49 U.S.C. 33101, 33102, 33103, 33105; delegation of authority at 49 CFR 1.50.

SOURCE: 50 FR 43190, Oct. 24, 1985, unless otherwise noted.

**§ 541.1 Scope.**

This standard specifies performance requirements for identifying numbers or symbols to be placed on major parts of certain passenger motor vehicles.

**§ 541.2 Purpose.**

The purpose of this standard is to reduce the incidence of motor vehicle thefts by facilitating the tracing and recovery of parts from stolen vehicles.

**§ 541.3 Application.**

(a) Except as provided in paragraph (b) and (c) of this section, this standard applies to the following:

(1) Passenger motor vehicle parts identified in § 541.5(a) that are present in:

- (i) Passenger cars; and
- (ii) Multipurpose passenger vehicles with a gross vehicle weight rating of 6,000 pounds or less; and

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(iii) Light-duty trucks with a gross vehicle weight rating of 6,000 pounds or less, that NHTSA has determined to be high theft in accordance with 49 CFR 542.1; and

(iv) Light duty trucks with a gross vehicle weight rating of 6,000 pounds or less, that NHTSA has determined to be subject to the requirements of this section in accordance with 49 CFR 542.2.

(2) Replacement passenger motor vehicle parts identified in § 541.5(a) for vehicles listed in paragraphs (1)(i) to (iv) of this section.

(b) *Exclusions.* This standard does not apply to the following:

(1) Passenger motor vehicle parts identified in § 541.5(a) that are present in vehicles manufactured by a motor vehicle manufacturer that manufactures fewer than 5,000 vehicles for sale in the United States each year.

(2) Passenger motor vehicle parts identified in § 541.5(a) that are present in a line with an annual production of not more than 3,500 vehicles.

(3) Passenger motor vehicle parts identified in § 541.5(a) that are present in light-duty trucks with a gross vehicle weight rating of 6,000 pounds or less, that NHTSA has determined to be subject to the requirements of this section in accordance with 49 CFR 542.2, if the vehicle line with which these light-duty trucks share majority of major interchangeable parts is exempt from parts marking requirements pursuant to part 543.

(c) For vehicles listed in subparagraphs (1)(i) to (iv) of this section that are (1) not subject to the requirements of this standard until September 1, 2006, and (2) manufactured between September 1, 2006 and August 31, 2007; a manufacturer needs to meet the requirements of this part only for lines representing at least 50% of a manufacturer's total production of these vehicles.

[70 FR 28851, May 19, 2005]

### § 541.4 Definitions.

(a) *Statutory terms.* All terms defined in 49 U.S.C. chapter 331 are used in accordance with their statutory meanings unless otherwise defined in paragraph (b) of this section.

(b) *Other definitions.* (1) *Interior surface* means, with respect to a vehicle

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part, a surface that is not directly exposed to sun and precipitation.

(2) *Light-duty truck (LDT)* means a motor vehicle, with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment, that is rated at 6,000 pounds gross vehicle weight or less.

(3) *Line* means a name which a manufacturer applies to a group of motor vehicles of the same make which have the same body or chassis, or otherwise are similar in construction or design. A “line” may, for example, include 2-door, 4-door, station wagon, and hatchback vehicles of the same make.

(4) *1990/91 median theft rate* means 3.5826 thefts per thousand vehicles produced.

(5) *Multipurpose passenger vehicle (MPV)* means a passenger motor vehicle which is constructed either on a truck chassis or with special features for occasional off-road operation and which is rated at 6,000 pounds gross vehicle weight or less.

(6) *Passenger car* is used as defined in § 571.3 of this chapter.

(7) *VIN* means the vehicle identification number required by part 565 of this chapter.

[59 FR 64168, Dec. 13, 1994, as amended at 61 FR 29033, June 7, 1996]

### § 541.5 Requirements for passenger motor vehicles.

(a) Each passenger motor vehicle subject to this standard must have an identifying number affixed or inscribed on each of the parts specified in paragraphs (a)(1) through (a)(18) inclusive, if the part is present on the passenger motor vehicle. In the case of passenger motor vehicles not originally manufactured to comply with applicable U.S. vehicle safety and bumper standards, each such motor vehicle subject to this standard must have an identifying number inscribed in a manner which conforms to paragraph (d)(2) of this section, on each of the parts specified in paragraphs (a)(1) through (a)(18), inclusive, if the part is present on the motor vehicle.

- (1) Engine.
- (2) Transmission.
- (3) Right front fender.
- (4) Left front fender.

- (5) Hood.
- (6) Right front door.
- (7) Left front door.
- (8) Right rear door.
- (9) Left rear door.
- (10) Sliding or cargo door(s).
- (11) Front bumper.
- (12) Rear bumper.
- (13) Right rear quarter panel (passenger cars).
- (14) Left rear quarter panel (passenger cars).
- (15) Right-side assembly (MPVs).
- (16) Left-side assembly (MPVs).
- (17) Pickup box, and/or cargo box (LDTs).
- (18) Rear door(s) (both doors in case of double doors), decklid, tailgate, or hatchback (whichever is present).

(b)(1) Except as provided in paragraphs (b)(2) and (b)(3) of this section, the number required to be inscribed or affixed by paragraph (a) shall be the VIN of the passenger motor vehicle.

(2) In place of the VIN, manufacturers who were marking engines and/or transmissions with a VIN derivative consisting of at least the last eight characters of the VIN on October 24, 1984, may continue to mark engines and/or transmissions with such VIN derivative.

(3) In the case of passenger motor vehicles not originally manufactured to comply with U.S. vehicle safety and bumper standards, the number required to be inscribed by paragraph (a) of this section shall be the original vehicle identification number assigned to the motor vehicle by its original manufacturer in the country where the motor vehicle was originally produced or assembled.

(c) The characteristics of the number required to be affixed or inscribed by paragraph (a) of this section shall satisfy the size and style requirements set forth for vehicle certification labels in §567.4(g) of this chapter.

(d) The number required by paragraph (a) of this section must be affixed by means that comply with paragraph (d)(1) of this section or inscribed by means that comply with paragraph (d)(2) of this section.

(1) *Labels.* (i) The number must be printed indelibly on a label, and the label must be permanently affixed to the passenger motor vehicle's part.

(ii) The number must be placed on each part specified in paragraph (a) of this section in a location such that the number is, if practicable, on an interior surface of the part as installed on the vehicle and in a location where it:

(A) Will not be damaged by the use of any tools necessary to install, adjust, or remove the part and any adjoining parts, or any portions thereof;

(B) Is on a portion of the part not likely to be damaged in a collision; and

(C) Will not be damaged or obscured during normal dealer preparation operations (including rustproofing and undercoating).

(iii) The number must be placed on each part specified in paragraph (a) of this section in a location that is visible without further disassembly once the part has been removed from the vehicle.

(iv) The number must be placed entirely within the target area specified by the original manufacturer for that part, pursuant to paragraph (e) of this section, on each part specified in paragraph (a) of this section.

(v) Removal of the label must—

(A) Cause the label to self-destruct by tearing or rendering the number on the label illegible, and

(B) Discernibly alter the appearance of that area of the part where the label was affixed by leaving residual parts of the label or adhesive in that area, so that investigators will have evidence that a label was originally present.

(vi) Alteration of the number on the label must leave traces of the original number or otherwise visibly alter the appearance of the label material.

(vii) The label and the number shall be resistant to counterfeiting.

(viii) The logo or some other unique identifier of the vehicle manufacturer must be placed in the material of the label in a manner such that alteration or removal of the logo visibly alters the appearance of the label.

(2) *Other means of identification.* (i) Removal or alteration of any portion of the number must visibly alter the appearance of the section of the vehicle part on which the identification is marked.

(ii) The number must be placed on each part specified in paragraph (a) of this section in a location that is visible

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without further disassembly once the part has been removed from the vehicle.

(iii) The number must be placed entirely within the target area specified by the original manufacturer for that part, pursuant to paragraph (e) of this section, on each part specified in paragraph (a) of this section.

(e) *Target areas.* (1) Each manufacturer that is the original producer who installs or assembles the covered major parts on a line shall designate a target area for the identifying numbers to be marked on each part specified in paragraph (a) of this section for each of its lines subject to this standard. The target area shall not exceed 50 percent of the surface area on the surface of the part on which the target area is located.

(2) Each manufacturer subject to paragraph (e)(1) of this section shall, not later than 30 days before the line is introduced into commerce, inform NHTSA in writing of the target areas designated for each line subject to this standard. The information should be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

(3) The target areas designated by the original vehicle manufacturer for a part on a line shall be maintained for the duration of the production of such line, unless a restyling of the part makes it no longer practicable to mark the part within the original target area. If there is such a restyling, the original vehicle manufacturer shall inform NHTSA of that fact and the new target area, in accordance with the requirements of paragraph (e)(2) of this section.

[59 FR 64168, Dec. 13, 1994, as amended at 69 FR 17967, Apr. 6, 2004]

### § 541.6 Requirements for replacement parts.

(a) Each replacement part for a part specified in § 541.5(a) must have the registered trademark of the manufacturer of the replacement part, or some other unique identifier if the manufacturer does not have a registered trademark, and the letter “R” affixed or inscribed on such replacement part by means that comply with § 541.5(d), except as

provided in paragraph (d) of this section. In the case of replacement parts subject to the marking requirements of this section, which were not originally manufactured for sale in the United States, the importer of the part shall inscribe its registered trademark, or some other unique identifier if the importer does not have a registered trademark, and the letter “R” on the part by means that comply with § 541.5(d)(2), except as provided in paragraph (d) of this section.

(b) A replacement part subject to paragraph (a) of this section shall not be marked pursuant to § 541.5.

(c) The trademark and the letter “R” required by paragraph (a) of this section must be at least one centimeter high.

(d) The trademark and the letter “R” required by paragraph (a) of this section must be placed entirely within the target area specified by the vehicle manufacturer, pursuant to paragraph (e) of this section.

(e) *Target areas.* (1) Each manufacturer that is the original producer or assembler of the vehicle for which the replacement part is designed shall designate a target area for the identifying symbols to be marked on each replacement part subject to the requirements of paragraph (a) of this section. Such target areas shall not exceed 25 percent of the surface area of the surface on which the replacement part marking will appear.

(2) The boundaries of the target area designated under paragraph (e)(1) of this section shall be at least 10 centimeters at all points from the nearest boundaries of the target area designated for that part under § 541.5(e) of this part.

(3) Each manufacturer subject to paragraph (e)(1) of this section shall inform NHTSA in writing of the target areas designated for each replacement part subject to paragraph (a) of this section, at the same time as it informs the agency of the target area designated for the original equipment parts of the line, pursuant to § 541.5(e)(2) of this part. The information should be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

(4) The target area designated by the original vehicle manufacturer for the parts subject to the requirements of paragraph (a) of this section shall be maintained for the duration of the production of such replacement part, unless a restyling of the part makes it no longer practicable to mark the part within the original target area. If there is such a restyling, the original vehicle manufacturer shall inform NHTSA of that fact and the new target area, in accordance with the requirements of paragraph (e)(3) of this section.

(f) Each replacement part must bear the symbol "DOT" in letters at least one centimeter high within 5 centimeters of the trademark and of the letter "R", and entirely within the target area specified under paragraph (d) of this section. The symbol "DOT" constitutes the manufacturer's certification that the replacement part conforms to the applicable theft prevention standard, and shall be inscribed or affixed by means that comply with paragraph (a) of this section. In the case of replacement parts subject to the requirements of paragraph (a) of this section, which were not originally manufactured for sale in the United States, the importer shall inscribe the "DOT" symbol before the part is imported into the United States.

APPENDIX A TO PART 541—LIGHT DUTY TRUCK LINES SUBJECT TO THE REQUIREMENTS OF THIS STANDARD

Manufacturer	Subject lines
General Motors .....	Chevrolet S-10 Pickup. GMC Sonoma Pickup.

[69 FR 17967, Apr. 6, 2004]

APPENDIX A-I TO PART 541—LINES WITH ANTI-THEFT DEVICES WHICH ARE EXEMPTED FROM THE PARTS-MARKING REQUIREMENTS OF THIS STANDARD PURSUANT TO 49 CFR PART 543

Manufacturer	Subject lines
BMW .....	MINI. X5. Z4. 1 Car Line. 3 Car Line. 5 Car Line. 6 Car Line. 7 Car Line.
CHRYSLER .....	300C. Jeep Grand Cherokee.

Manufacturer	Subject lines
FORD MOTOR CO .....	Jeep Wrangler. <sup>1</sup> Conquest. Town and Country MPV. Dodge Charger. Dodge Magnum. Escape. <sup>1</sup> Ford Five Hundred. Ford Focus. Lincoln Town Car. Mustang. Mercury Sable (2001–2004). Mercury Grand Marquis. Taurus (2000–2004). Taurus X.
GENERAL MOTORS ....	Buick Lucerne. Buick LeSabre. Buick LaCrosse/Century. Buick Park Avenue. Buick Regal/Century. Cadillac DTS/Deville. Cadillac STS/Seville. Chevrolet Cavalier. Chevrolet Classic. Chevrolet Cobalt. Chevrolet Corvette. Chevrolet Equinox. <sup>1</sup> Chevrolet Impala/Monte Carlo. Chevrolet Malibu/Malibu Maxx. Chevrolet Uplander. Chevrolet Venture (2002–2004). Oldsmobile Alero. Oldsmobile Aurora. Pontiac Bonneville. Pontiac G6. Pontiac Grand Am. Pontiac Grand Prix. Pontiac Sunfire. Saturn Aura.
HONDA .....	Acura CL. Acura NSX. Acura RL. Acura TL.
HYUNDAI .....	Azera. Genesis. <sup>1</sup>
ISUZU .....	Axiom.
JAGUAR .....	XK.
MAZDA .....	3. 5. <sup>1</sup> 6. CX-7. CX-9. MX-5 Miata. Millenia. Smart USA Fortwo. <sup>1</sup>
DAIMLER <sup>2</sup> .....	SL-Class (the models within this line are): 300SL, 500SL, 600SL, SL500, SL550, SL600, SL55, SL65. S-Class/CL-Class (the models within this line are): S450, S500, S550, S600, S55, S65, CL500, CL600, CL55, CL65. C-Class/CLK-Class (the models within this line are): C240, C300, C350, CLK 350, CLK 550, CLK 63AMG. E-Class/CLS Class (the models within this line are): E320/E320DT CDi, E350/E500/E55, CLS500/CLS55.
MITSUBISHI .....	Eclipse. Endeavor. Galant. Diamante.

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Manufacturer	Subject lines
NISSAN .....	Altima. Maxima. Pathfinder. Quest. Rogue. <sup>1</sup> Sentra. Versa 350Z. Infiniti G35. Infiniti I30. Infiniti J30. Infiniti M30. Infiniti M45. Infiniti QX4. Infiniti Q45.
PORSCHE .....	911. Boxster/Cayman. 9-3.
SAAB .....	Forester. <sup>1</sup>
SUBARU .....	Impreza. B9 Tribeca.
SUZUKI .....	XL-7.

Manufacturer	Subject lines
TOYOTA .....	Lexus ES. Lexus GS. Lexus LS. Lexus SC.
VOLKSWAGEN .....	Audi 5000S. Audi A4. Audi Allroad. Audi A6. Audi Q5. <sup>1</sup> New Beetle. Cabrio. Golf/GTI. Jetta. Passat.

<sup>1</sup> Granted an exemption from the parts marking requirements beginning with MY 2009.  
<sup>2</sup> Formerly known as Mercedes-Benz.

[73 FR 47848, Aug. 15, 2008; 73 FR 50885, Aug. 29, 2008]

**APPENDIX A-II TO PART 541—LINES WITH ANTITHEFT DEVICES WHICH ARE EXEMPTED IN-PART FROM THE PARTS-MARKING REQUIREMENTS OF THIS STANDARD PURSUANT TO 49 CFR PART 543**

Manufacturers	Subject lines	Parts to be marked
General Motors .....	Cadillac Eldorado .....	Engine, Transmission.
	Cadillac Concours .....	Engine, Transmission.
	Oldsmobile Ninety-Eight .....	Engine, Transmission.
	Pontiac Firebird .....	Engine, Transmission.
	Chevrolet Camaro .....	Engine, Transmission.
	Oldsmobile Eighty-Eight .....	Engine, Transmission.

[66 FR 40625, Aug. 3, 2001]

**APPENDIX B TO PART 541—LIGHT DUTY TRUCK LINES WITH THEFT RATES BELOW THE 1990/91 MEDIAN THEFT RATE, SUBJECT TO THE REQUIREMENTS OF THIS STANDARD**

Manufacturer	Subject lines
None	

[69 FR 17967, Apr. 6, 2004]

**APPENDIX C TO PART 541—CRITERIA FOR SELECTING LIGHT DUTY TRUCK LINES LIKELY TO HAVE HIGH THEFT RATES**

*Scope*

These criteria specify the factors the Administrator will take into account in determining whether a new line is likely to have a high theft rate, and, therefore, whether such line will be subject to the requirements of this theft prevention standard.

*Purpose*

The purpose of these criteria is to enable the Administrator to select, by agreement with the manufacturer, if possible, those new lines which are likely to have high theft rates.

*Application*

These criteria apply to lines of passenger motor vehicles initially introduced into commerce on or after September 1, 2006.

*Methodology*

These criteria will be applied to each line initially introduced into commerce on or after September 1, 2006. The likely theft rate for such lines will be determined in relation to the national median theft rate for 1990 and 1991. If the line is determined to be likely to have a theft rate above the national median, the Administrator will select such line for coverage under this theft prevention standard.

*Criteria*

1. Retail price of the vehicle line.
2. Vehicle image or marketing strategy.

3. Vehicle lines with which the new line is intended to compete, and the theft rates of such lines.

4. Vehicle line(s), if any, which the new line is intended to replace, and the theft rate(s) of such line(s).

5. Presence or absence of any new theft prevention devices or systems.

6. Preliminary theft rate for the line, if it can be determined on the basis of currently available data.

[50 FR 43190, Oct. 24, 1985, as amended at 69 FR 17967, Apr. 6, 2004; 69 FR 34613, June 22, 2004]

**PART 542—PROCEDURES FOR SELECTING LIGHT DUTY TRUCK LINES TO BE COVERED BY THE THEFT PREVENTION STANDARD**

Sec.

542.1 Procedures for selecting new light duty truck lines that are likely to have high or low theft rates.

542.2 Procedures for selecting low theft light duty truck lines with a majority of major parts interchangeable with those of a passenger motor vehicle line.

AUTHORITY: 49 U.S.C. 322, 33101, 33102, 33103, 33104, 33105; delegation of authority at 49 CFR 1.50.

SOURCE: 59 FR 21672, Apr. 26, 1994, unless otherwise noted.

**§ 542.1 Procedures for selecting new light duty truck lines that are likely to have high or low theft rates.**

(a) Scope. This section sets forth the procedures for motor vehicle manufacturers and NHTSA to follow in the determination of whether any new light duty truck line is likely to have a theft rate above or below the 1990/91 median theft rate.

(b) Application. These procedures apply to each manufacturer that plans to introduce a new light duty truck line into commerce in the United States on or after September 1, 2006, and to each of those new lines.

(c) Procedures. (1) Each manufacturer shall use the criteria in Appendix C of part 541 of this chapter to evaluate each new light duty truck line and to conclude whether the new line is likely to have a theft rate above or below the 1990/91 median theft rate.

(2) For each new light duty truck line, the manufacturer shall submit its evaluations and conclusions made

under paragraph (c) of this section, together with the underlying factual information, to NHTSA not less than 15 months before the date of introduction. The manufacturer may request a meeting with the agency during this period to further explain the bases for its evaluations and conclusions.

(3) Within 90 days after its receipt of the manufacturer's submission under paragraph (c)(2) of this section, the agency independently evaluates the new light duty truck line using the criteria in Appendix C of part 541 of this chapter and, on a preliminary basis, determines whether the new line should or should not be subject to § 541.2 of this chapter. NHTSA informs the manufacturer by letter of the agency's evaluations and determinations, together with the factual information considered by the agency in making them.

(4) The manufacturer may request the agency to reconsider any of its preliminary determinations made under paragraph (c)(3) of this section. The manufacturer shall submit its request to the agency within 30 days of its receipt of the letter under paragraph (c)(3) of this section. The request shall include the facts and arguments underlying the manufacturer's objections to the agency's preliminary determinations. During this 30-day period, the manufacturer may also request a meeting with the agency to discuss those objections.

(5) Each of the agency's preliminary determinations under paragraph (c)(3) of this section shall become final 45 days after the agency sends the letter specified in paragraph (c)(3) of this section unless a request for reconsideration has been received in accordance with paragraph (c)(4) of this section. If such a request has been received, the agency makes its final determinations within 60 days of its receipt of the request. NHTSA informs the manufacturer by letter of those determinations and its response to the request for reconsideration.

[69 FR 17967, Apr. 6, 2004; 69 FR 34613, June 22, 2004]