

§ 551.60

§ 551.60 When must the Designation by Foreign Manufacturer be signed?

(a) The foreign manufacturer must sign the Designation by Foreign Manufacturer on or before the date that the agent signs the Acceptance by Agent. It is not possible for an individual or entity to accept a designation as agent until on or after the date on which a foreign manufacturer makes the designation.

(b) If the Designation by Foreign Manufacturer is dated after the Acceptance by Agent, NHTSA will deem the designation insufficient under this subpart and reject the submission.

§ 551.61 When must the Acceptance by Agent be signed?

(a) The agent, in the case of an individual, or an employee or official, in the case of a domestic firm or corporation serving as agent, must sign the Acceptance by Agent on or after the date that the manufacturer signs the Designation by Foreign Manufacturer. It is not possible for an individual or entity to accept a designation as agent until on or after the date on which the foreign manufacturer makes the designation.

(b) If the Acceptance by Agent is dated before the Designation by Foreign Manufacturer, NHTSA will deem the designation insufficient under this subpart and reject the submission.

§ 551.62 Where should a foreign manufacturer mail the designation?

Foreign manufacturers must mail their designations to the Office of the Executive Secretariat, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street, SW, Washington, DC 20590. No other NHTSA office is authorized to accept designation documents. To avoid delays, the agency suggests using express mail services.

§ 551.63 May a foreign manufacturer submit a designation by email or facsimile?

No, the statute requires designation documents submitted by foreign manufacturers to contain original ink signatures. NHTSA will reject designation

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documents submitted via email or facsimile, as they do not satisfy this requirement.

§ 551.64 What if designation documents submitted by a foreign manufacturer do not comply with this subpart?

Designations of agent are binding on the foreign manufacturer even when their form and contents do not comply with this subpart, unless rejected by the agency.

§ 551.65 What if a foreign manufacturer changes its name, address or product names or marks?

(a) A foreign manufacturer must provide written notice to NHTSA of any changes in its name, address or marks, trade names, or other designations of origin appearing on its products.

(b) Foreign manufacturers should mail notices to the Office of the Executive Secretariat, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street, SW., Washington, DC 20590. To avoid delays, the agency suggests using express mail services.

METHOD OF SERVICE OF PROCESS

§ 551.66 What is the legal effect of service of process on an agent?

Service on an agent of administrative or judicial notices or process is deemed to be service on a manufacturer.

§ 551.67 Where and how may an agent be served?

An agent may be served at the agent's office or usual place of residence, by registered or certified mail addressed to the agent with return receipt requested, or by any other manner authorized by law.

§ 551.68 What if an agent cannot be served?

If an agent cannot be served because the agent cannot be located, has ceased to exist or does not receive correctly addressed mail, service may be made by posting the notice or process in the Office of the Secretary of Transportation.