

§ 534.7

(a) The manufacturers must file a certified report with the agency affirmatively stating that the contract transfers rights and responsibilities between them such that one manufacturer has assumed a controlling stock ownership or control over the design, production or sale of vehicles. The report must also specify the first full model year to which the transaction will apply.

(b) Each report shall—

(i) Identify each manufacturer;

(ii) State the full name, title, and address of the official responsible for preparing the report;

(iii) Identify the production year being reported on;

(iv) Be written in the English language; and

(v) Be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

(c) The manufacturers may seek confidential treatment for information provided in the certified report in accordance with 49 CFR part 512.

§ 534.7 Situations not directly addressed by this part.

To the extent that this part does not directly address an issue concerning the rights and responsibilities of manufacturers in the context of a change in corporate relationships, the agency will make determinations based on interpretation of the statute and the principles reflected in the part.

PART 535—3-YEAR CARRYFORWARD AND CARRYBACK OF CREDITS FOR LIGHT TRUCKS

Sec.

535.1 Scope.

535.2 Applicability.

535.3 Definitions.

535.4 3-year carryforward and carryback of credits.

AUTHORITY: Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2001); sec. 6, Pub. L. 96-425, 94 Stat. 1821 (15 U.S.C. 2002); delegation of authority at 49 CFR 1.50.

SOURCE: 45 FR 83235, Dec. 19, 1980, unless otherwise noted.

49 CFR Ch. V (10-1-06 Edition)

§ 535.1 Scope.

This part establishes regulations governing 3-year carryforward and carryback of credits for manufacturers of light trucks.

§ 535.2 Applicability.

This part applies to manufacturers of light trucks.

§ 535.3 Definitions.

(a) *Statutory terms.* The terms *average fuel economy*, *average fuel economy standard*, *fuel economy*, *manufacturer*, and *model year* are used as defined in section 501 of the Act.

(b) *Other terms.* (1) *Act* means the Motor Vehicle Information and Cost Savings Act, as amended by Pub. L. 94-163 and 96-425.

(2) *Administrator* means the Administrator of the National Highway Traffic Safety Administration.

(3) The term *light truck* is used in accordance with the determinations in parts 523 and 533 of this chapter.

(4) The term *class of light trucks* is used in accordance with the determinations in part 533 of this chapter.

§ 535.4 3-year carryforward and carryback of credits

(a) For purposes of this part, credits under this section shall be considered to be available to any manufacturer upon the completion of the model year in which such credits are earned under paragraph (b) of this section unless under paragraph (c) of this section the credits are made available for use at a time prior to the model year in which earned.

(b) Whenever the average fuel economy for a class of light trucks manufactured by a manufacturer in a particular model year exceeds an applicable average fuel economy standard established in part 533 of this chapter, such manufacturer shall be entitled to credit, calculated under paragraph (c) of this section, which—

(1) Shall be available to be taken into account with respect to the average fuel economy for the same class of light trucks of that manufacturer for any of the three consecutive model years immediately prior to the model