

paragraph, and not merely mailed or otherwise sent within that time period.

(c) *Sufficient manner of correction.* Each person seeking safe harbor protection from criminal penalties under 49 U.S.C. 30170(a)(2) must comply with the following with respect to each improper report and failure to report for which safe harbor protection is sought:

(1) Sign and submit to NHTSA a dated document identifying:

(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—REPORTING OF INFORMATION AND COMMUNICATIONS ABOUT POTENTIAL DEFECTS

### Subpart A—General

Sec.

- 579.1 Scope.
- 579.2 Purpose.
- 579.3 Application.
- 579.4 Terminology.
- 579.5 Notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications.
- 579.6 Address for submitting reports and other information.
- 579.7–579.10 [Reserved]

### Subpart B—Reporting of Safety Recalls and Other Safety Campaigns in Foreign Countries

- 579.11 Reporting responsibilities.
- 579.12 Contents of reports.
- 579.13–579.20 [Reserved]

### Subpart C—Reporting of Early Warning Information

- 579.21 Reporting requirements for manufacturers of 500 or more light vehicles annually.
- 579.22 Reporting requirements for manufacturers of 500 or more medium-heavy vehicles and buses annually.
- 579.23 Reporting requirements for manufacturers of 500 or more motorcycles annually.
- 579.24 Reporting requirements for manufacturers of 500 or more trailers annually.
- 579.25 Reporting requirements for manufacturers of child restraint systems.
- 579.26 Reporting requirements for manufacturers of tires.
- 579.27 Reporting requirements for manufacturers of fewer than 500 vehicles annually, for manufacturers of original equipment, and for manufacturers of replacement equipment other than child restraint systems and tires.
- 579.28 Due date of reports and other miscellaneous provisions.
- 579.29 Manner of reporting.

AUTHORITY: 49 U.S.C. 30102–103, 30112, 30117–121, 30166–167; delegation of authority at 49 CFR 1.50 and 49 CFR 501.8.

SOURCE: 67 FR 45873, July 10, 2002, unless otherwise noted.

**Subpart A—General****§ 579.1 Scope.**

This part sets forth requirements for reporting information and submitting documents that may help identify defects related to motor vehicle safety and noncompliances with Federal motor vehicle safety standards, including reports of foreign safety recalls and other safety-related campaigns conducted outside the United States under 49 U.S.C. 30166(l), early warning information under 49 U.S.C. 30166(m), and copies of communications about defects and noncompliances under 49 U.S.C. 30166(f).

**§ 579.2 Purpose.**

The purpose of this part is to enhance motor vehicle safety by specifying information and documents that manufacturers of motor vehicles and motor vehicle equipment must provide to NHTSA with respect to possible safety-related defects and noncompliances in their products, including the reporting of safety recalls and other safety campaigns that the manufacturer conducts outside the United States.

[67 FR 63310, Oct. 11, 2002]

**§ 579.3 Application.**

(a) This part applies to all manufacturers of motor vehicles and motor vehicle equipment with respect to all motor vehicles and motor vehicle equipment that have been offered for sale, sold, or leased in the United States by the manufacturer, including any parent corporation, any subsidiary or affiliate of the manufacturer, or any subsidiary or affiliate of any parent corporation, and with respect to all motor vehicles and motor vehicle equipment that have been offered for sale, sold, or leased in a foreign country by the manufacturer, including any parent corporation, any subsidiary or affiliate of the manufacturer, or any subsidiary or affiliate of any parent corporation, and are identical or substantially similar to any motor vehicles or motor vehicle equipment that have been offered for sale, sold, or leased in the United States.

(b) In the case of any report required under subpart B of this part, compliance by the fabricating manufacturer, the importer, the brand name owner, or a parent or subsidiary of such fabricator, importer, or brand name owner of the motor vehicle or motor vehicle equipment that is identical or substantially similar to that covered by the foreign recall or other safety campaign, shall be considered compliance by all persons.

(c) In the case of any report required under subpart C of this part, compliance by the fabricating manufacturer, the importer, the brand name owner, or a parent or United States subsidiary of such fabricator, importer, or brand name owner of the motor vehicle or motor vehicle equipment, shall be considered compliance by all persons.

(d) With regard to any information required to be reported under subpart C of this part, an entity covered under paragraph (a) of this section need only review information and systems where information responsive to subpart C of this part is kept in the usual course of business.

[43 FR 38833, Aug. 31, 1978, as amended at 67 FR 63310, Oct. 11, 2002]

**§ 579.4 Terminology.**

(a) *Statutory terms.* The terms *dealer*, *defect*, *distributor*, *motor vehicle*, *motor vehicle equipment*, and *State* are used as defined in 49 U.S.C. 30102.

(b) *Regulatory terms.* The term *Vehicle Identification Number (VIN)* is used as defined in § 565.3(o) of this chapter. The terms *bus*, *Gross Vehicle Weight Rating (GVWR)*, *motorcycle*, *multipurpose passenger vehicle*, *passenger car*, *trailer*, and *truck* are used as defined in § 571.3(b) of this chapter. The term *Booster seat* is used as defined in S4 of § 571.213 of this chapter. The term *Tire Identification Number (TIN)* is the “tire identification number” described in § 574.5 of this chapter. The term *Limited production tire* is used as defined in § 575.104(c)(2) of this chapter.

(c) *Other terms.* The following terms apply to this part:

*Administrator* means the Administrator of the National Highway Traffic Safety Administration (NHTSA), or the Administrator’s delegate.