



# Memorandum D19-12-1

Ottawa, January 11, 2016

## Importation of Vehicles

### In Brief

This memorandum has been updated to:

- (a) replace regulatory text with links to relevant legislation;
- (b) provide reformatted up-to-date information on determining admissibility, declaring and processing a vehicle for importation;
- (c) add information regarding the Single Window Initiative.

This memorandum outlines and explains the legislation, regulations and general guidelines that apply to the importation of vehicles.

### Legislation

[Customs Act](#) – Section 101

[Motor Vehicle Safety Act](#) – Sections 6, 7, and 15

[Plant Protection Act](#) – Section 7(1)

[Motor Vehicle Safety Regulations](#) – Section 12(3)(f)

[Motor Vehicle Tire Safety Regulations](#)

## Guidelines and General Information

### Acronyms and Definitions

#### Acronyms

“CBSA” means Canada Border Services Agency

“CMVSS” means Canadian Motor Vehicle Safety Standards

“CoT” means Certificate of Title

“FMVSS” means Federal Motor Vehicle Safety Standards

“MVSA” means *Motor Vehicle Safety Act*

“MVSR” means *Motor Vehicle Safety Regulations*

“OEM” means Original Equipment Manufacturer

“RIV” means Registrar of Imported Vehicles

“SoC” means Statement of Compliance

“SUV” means Sport Utility Vehicle

“TC” means Transport Canada

“US” means United States

“VIC” means Vehicle Import Compatibility

“VIN” means Vehicle Identification Number

## Definitions

1. For the purpose of the administration of the [MVSA](#) and the [MVSR](#) and vehicle border clearance for imported vehicles, the following definitions will apply:

**Appendix F Pre-clearance Program** – refers to TC’s [pre-cleared list of authorized Canadian companies](#) importing new Canadian Motor Vehicle Safety Standards (CMVSS) vehicles.

**Appendix G Pre-clearance Program** – refers to TC’s [pre-cleared list of foreign manufacturers](#) manufacturing new CMVSS vehicles.

**case-by-case importation** – refers to TC’s standard importation process outside of the Appendix F or G Pre-clearance Programs. Upon successfully meeting TC’s requirements for case-by-case importation, the Canadian importer of new CMVSS, Vehicle Identification Number (VIN) specific vehicles will receive an authorization number and letter to present at the border to allow the importation of those vehicles.

**CMVSS Vehicle or Canadian Specification Vehicle or Canadian Certified Vehicle** – means a vehicle built and certified to CMVSS at the time of main assembly and bearing a Statement of Compliance (SoC) label to that effect.

**commercial vehicle importation** – refers to the importation of vehicle(s) for the purpose of selling them on the Canadian market. These can be new CMVSS vehicles purchased directly from a foreign manufacturer or used vehicles purchased on the retail market in the United States (US).

**designated CBSA office** – refers to the [designated CBSA offices](#) where commercial importers are required to report the importation of vehicles entering Canada by modes of transportation other than rail, marine or air.

**E-vehicle** – means a vehicle powered by an electric power source. E-vehicles are also regulated at importation under the class they belong to (e.g., e-truck is regulated as a truck, e-car is regulated as a passenger car, etc.).

**FMVSS vehicle or US specification vehicle or US certified vehicle** – means a vehicle built and certified to US Federal Motor Vehicle Safety Standards (FMVSS) at the time of main assembly and bearing a SoC label to that effect.

**new vehicle** – means a vehicle that has never been placed into service, registered or licensed, or, in the case of an incomplete vehicle, still requires further manufacturing before it can be placed into service (e.g., chassis cab).

**private (personal, casual) vehicle importation** – means the importation of a vehicle for the importers own use in Canada (not for sale on the Canadian market), these can be new or used vehicles. Businesses who import vehicles for their own commercial, industrial, occupational, or institutional use in Canada can declare their goods as a private importation but are still required to report for entry as a commercial importer at designated CBSA office.

**prescribed class** – means a class of vehicle listed in Schedule III or an incomplete vehicle, which is prescribed under subsection 4(1.1) of the [MVSR](#).

**RIV Program** – refers to the Registrar of Imported Vehicles, the national certification program established by TC that ensures qualifying FMVSS vehicles purchased at the retail level in the US are modified, inspected, and certified to comply with CMVSS.

**salvage vehicle** – is a term used by US and Canadian insurance providers and licensing authorities to “brand” a vehicle that has been deemed at total loss due to collision, fire, flood, accident, or any other occurrence requiring repair for which the cost is deemed unreasonable. When a vehicles’ salvage certificate or title brand is noted as “salvage”, “salvage-repairable” or “salvage repaired”, without any supplementary designations, the vehicle is not restricted from being repaired. When a salvage brand is noted as “non-repairable”, “junk”, “scrap”, “flood” or equivalent, the vehicle cannot be safely repaired.

**Schedule VII** – refers to the TC authorization required for Canadian importers seeking to temporarily import non-compliant vehicles for exhibition, demonstration, evaluation, testing, or special purposes. The entry is for a limited time and does not allow the vehicle to remain permanently in Canada.

**SoC label** – refers to the label affixed to the vehicle at the time of main assembly that contains the manufacturer’s certification statement.

**temporary resident** – means

- (1) a person who is not a resident of Canada and who resides temporarily in Canada for the purpose of
  - (i) studying at an educational institution;
  - (ii) employment for a period not exceeding 36 months; or,
  - (iii) performing preclearance activities on behalf of the Government of the United States under the terms of the Agreement between the Government of Canada and the Government of the United States of America on Air Transport Preclearance, dated May 8, 1974, and who produces on arrival in Canada a valid card or employment authorization issued by the Government of Canada certifying that person to be an employee of the Government of the US performing these activities in Canada;
- (2) the spouse or any dependents of a person described in (1)(i) or (ii); and,
- (3) the spouse or any dependents of a person described in subparagraph (1)(iii), if the spouse or dependent produces on arrival in Canada a valid card or employment authorization issued by the Government of Canada certifying the spouse or dependent to be the spouse or dependent of a person described in (1)(iii).

**used vehicle** – means a vehicle that is (or was previously) registered and licensed for which a title or ownership document is (or was once) issued.

**vehicle** – means any vehicle (assembled or disassembled) that, when in its assembled state, is capable of being driven or drawn on roads by any means other than muscular power exclusively, but does not include any vehicle designed to run exclusively on rails. The prescribed (or regulated) classes of vehicles under the MVSR are:

- passenger car (including limousines)
- multi-purpose passenger vehicle (including vans, minivans, SUVs, motorhomes, 4x4s)
- truck (including chassis cabs and service trucks)
- bus (including school buses)
- low speed vehicle
- open and enclosed motorcycle, motor tricycle, and limited speed motorcycles (scooters)
- restricted-use motorcycle (RUM) (including ATV and dirt bike)
- trailer, all kinds (including utility, cargo, with mounted equipment, horse, boat, travel trailer, car dolly, etc.)
- trailer converter dolly
- snowmobile and snowmobile cutter
- three wheeled vehicles

**VIC list** – refers to a list of CMVSS compatible vehicles that, when purchased (or originally sold) at retail in the US, qualify for entry into the [RIV Program](#) (referred to as the [VIC list from the US](#) in this document).

**Visitor** – means a person who is not a resident or a temporary resident and who enters Canada for a period not exceeding 12 months.

## Introduction

2. The Canada Border Services Agency (CBSA) assists [Transport Canada](#) (TC) with the administration of the [Motor Vehicle Safety Act](#) (MVSA) and the [Motor Vehicle Safety Regulations](#) (MVSR) by administering and enforcing the conditions under which new and used vehicles may be imported at CBSA points of entry. The [MVSA](#) regulates the importation of vehicles to reduce the risk of death, injury, and damage to property and the environment.

3. The CBSA also assists other government agencies (OGDs) in this regard, such as:
  - (a) The [Canadian Food Inspection Agency](#) (CFIA) with the administration of the [Plant Protection Act](#) by enforcing the conditions under which used vehicles may be imported with regards to plant pests that can be transported in soil and related matter.
  - (b) [Environment Canada](#) (EC) with the administration of the [Canadian Environmental Protection Act](#) with regards to emissions standards under which new and used vehicles may be imported.

## Pre, At and Post Border Processes

### Prior to Importation

4. Prior to importing a vehicle, importers are urged to contact their insurance provider and provincial or territorial licensing authority to determine what (if any) provincial requirements they will need to adhere to in order to import and licence a vehicle in their province or territory.
5. Prior to declaring a vehicle at the border, **the importer is responsible for ensuring they have researched all aspects relating to the importation of the vehicle into Canada** in order to comply with all legislative provisions.
6. For assistance, the importer can contact TC or the [Registrar of Imported Vehicles \(RIV\)](#) (refer to the “Additional Information” section of this document for contact information).

### At the Border

7. Prior to releasing a vehicle at the border, CBSA border services officers will verify that an importer’s declaration complies with all legislative provisions that may apply.

### After Vehicle Entry

8. Once a vehicle is released at the border, the importer is responsible to abide by the terms of their entry declaration which may include fulfilling additional requirements established under applicable legislative provisions.

## Transport Canada Requirements

9. Importers referring to this memorandum are cautioned that it contains general guidelines and information pertaining to the CBSA’s administration of TC’s import requirements and is not intended to replace the [MVSA](#) and the [MVSR](#). [MVSA](#) import requirements apply to all regulated classes of vehicles that are less than 15 years old and buses manufactured on or after January 1, 1971.
10. To be eligible for importation, vehicles must qualify for entry under one of the following two principals:
  - (a) vehicles that **are required to be registered** in the [RIV Program](#), which only applies to US specification vehicles purchased or originally sold in the US at the retail level;
  - (b) vehicles that **are not required to be registered** in the [RIV Program](#), which applies to all other vehicle entries including CMVSS vehicles, age-exempt vehicles, non-regulated vehicles and vehicles imported temporarily.
11. Vehicles that do not qualify for importation under one of the two preceding options are considered inadmissible and cannot be imported into Canada.
12. Once a vehicle entry has been processed at the border, any importer seeking to change the vehicle’s entry declaration will result in the vehicle entry declaration being re-assessed. The vehicle will have to meet all applicable TC vehicle import requirements under the newly declared circumstances. In these cases, the importer must contact the CBSA to find out which location they can go to and re-declare an entry and obtain a new Form 1 or Form 3 (whichever applies).

## Vehicles Required to be Registered in the RIV Program – Import Requirements

13. The objective of the RIV Program is to protect Canadian road users by ensuring that vehicles imported from the US provide a comparable level of safety to those manufactured for sale in Canada. The process ensures that:

the vehicles were originally designed and certified at time of main assembly to FMVSS standards; the vehicles are free of any outstanding manufacturer safety recalls; and that importers have performed the necessary modifications to the vehicles as applicable to meet CMVSS. Importers must have the vehicle inspected by an official RIV authorized inspection center to verify compliance with the CMVSS within the required time period and prior to being registered by a provincial or territorial licensing authority. The program is funded through the user fees charged to importers who have purchased vehicles in the US.

14. **The importer is responsible for researching eligibility for importation prior to arrival at the border** as not all vehicles that are purchased or acquired in the US qualify for importation and not all vehicles can be modified to comply with CMVSS. To help assess a vehicle's admissibility into the RIV Program TC publishes the [VIC list from the US](#) for vehicles purchased (or originally sold) in the US.

15. Importers who register their vehicle in the RIV Program acknowledge by their signature in section 17 of the *Vehicle Import Form – Form 1* that the admission of their vehicle into Canada is conditional on successfully completing a RIV inspection **and is not a guarantee** that the vehicle is necessarily capable of being permanently imported nor brought into conformity with applicable laws.

16. If a vehicle fails the RIV inspection, it cannot remain permanently in Canada and the RIV will notify the importer that the vehicle must be exported. Common examples for rejection are a vehicle's inability to be modified to comply with CMVSS, lack of satisfactory proof that a vehicle subject to an outstanding safety recall has been remedied, evidence of non-compliant modifications observed at inspection or failing to present the vehicle for the mandatory RIV inspection within the prescribed time constraints.

### **Eligibility Requirements for Registration in the RIV Program**

17. To be considered eligible for registration in the RIV Program, a vehicle must meet all of the following conditions:

- (a) belong to a prescribed class of regulated vehicles (refer to the definitions section);
- (b) be less than 15 years old or, in the case of a bus, manufactured on or after January 1, 1971;
- (c) purchased or originally sold in the US (unless otherwise authorized by TC);
- (d) is identified as "admissible" on the [VIC list from the US](#);
- (e) is certified by the original manufacturer to comply with all US FMVSS as demonstrated by a SoC label affixed to the unit or by a letter from the manufacturer containing the following statement:
  - (i) this vehicle conforms to the applicable federal motor vehicle safety, bumper and theft prevention standards in effect on the date of manufacture shown above, or
  - (ii) this vehicle conforms to all applicable US Federal Motor Vehicle Safety Standards in effect on the date of manufacture shown above;
- (f) in the case of a vehicle manufactured in stages, evidence of FMVSS certification by the end (final stage) manufacturer as described above;
- (g) in the case of a snowmobile, the snowmobile is certified by the original manufacturer (demonstrated by a statement of compliance label affixed to the unit) to comply with the Snowmobile Safety Certification Committee or with CMVSS;
- (h) bear a valid 17 digit alphanumeric VIN issued by the OEM. For restricted-use motorcycles manufactured prior to Dec. 1st, 2004, the VIN may be composed of 14 to 17 digits;
- (i) has not been modified in any way that can compromise the OEM certification

### **Proof of Ownership Requirements for Registration in the RIV Program**

18. An original valid US state issued Certificate of Title (SoT) (or equivalent state issued registration documentation) or, in the case of a new FMVSS vehicle, a Manufacturer's Statement (or Certificate) of Origin with a valid bill of sale must be presented at the time of importation for vehicles registered in the RIV Program.

## Reporting Requirements for Registration into the RIV Program

19. **Non-commercial** entities such as private importer, casual importer or traveller with vehicles required to be registered in the RIV Program can do so at either a designated or non-designated CBSA office.

20. **Commercial** importers who import vehicles via the RIV Program are required to report at [designated CBSA offices](#). Businesses who import for their own commercial, industrial, occupational, institutional use in Canada can declare their goods as a private importation but are still required to report for entry as commercial importer at a designated CBSA office.

**Note:** When a commercial shipment of vehicles is reported at a non-designated CBSA office, it will be re-routed to the closest designated CBSA office (unless the shipment is by rail, marine or air modes of transportation in which case the importer may report to a non-designated CBSA office to register the vehicle in the RIV Program).

## US Leased and Financed Vehicles Being Declared for Importation

21. For TC purposes, US leased and financed vehicles are considered purchased and must therefore meet TC's import and admissibility requirements for registration in the RIV Program.

22. If the importer of a leased or financed vehicle cannot obtain the original or certified copy of the CoT then they must present a copy of the CoT with an original statement/letter from the financing/leasing company authorizing that the vehicle can be exported from the US and permanently imported into Canada. The statement/letter should identify the vehicle and include the VIN number.

## FMVSS Specification Vehicles (New or Used) Acquired in Foreign Countries

23. Vehicles (new or used) acquired in foreign countries other than the US and designed, manufactured, tested and certified to meet US FMVSS and bearing a US SoC label affixed by the original manufacturer, may be eligible for importation into Canada provided the vehicles have not been altered and the certification from the original manufacturer is still affixed to the vehicles. This only applies to vehicles **originally** purchased at the retail level in the US or obtained via a foreign manufacturer delivery program of FMVSS certified vehicles. These vehicles are treated by TC as if they were imported from the US **and if admissible** as per the [VIC list from the US](#), they are to be registered in the RIV Program.

24. Vehicles eligible for importation under such conditions remain subject to certain prohibition as outlined in [Memorandum D9-1-11, Importation of Used or Second-hand Motor Vehicles](#). Importers seeking to import a vehicle under these conditions should contact the CBSA for additional information (refer to the "Additional Information" section of this document for contact information).

## Vehicles Bearing Both FMVSS and CMVSS SoC Labels Purchased in the US

25. Some vehicles offered for sale in the US bear both a FMVSS and a CMVSS SoC label affixed to the vehicle by the manufacturer. The importer is responsible for declaring the vehicle by selecting the appropriate entry on the *Vehicle Import Form – Form 1*. For the purpose of importation, these vehicles are to be imported through the RIV Program and the vehicle is to be assessed in accordance with established RIV Program procedures, unless the importer provides a TC CMVSS case-by-case authorization number and letter.

## Salvage Vehicles (FMVSS Certified Vehicles Only)

26. For the purpose of importing salvage branded vehicles as vehicles (rather than for parts only), only FMVSS certified vehicles purchased or originally sold in the US that are less than 15 years old and buses manufactured on or after January 1, 1971 qualify for registration into the RIV Program as vehicles to be imported on condition they appear as admissible on the [VIC list from US](#). Salvage branded vehicles originating from countries other than the US that are less than 15 years old and buses manufactured on or after January 1, 1971 are not eligible for importation into Canada via the RIV Program.

27. "Salvage" is the term used by a state licensing authority or a licensed insurance provider to "brand" a vehicle that has been damaged due to collision, fire, flood, accident, or any other occurrence requiring repair, the cost of which would be deemed unreasonable. Although they are considered a total loss in terms of the insured monetary



value, they may qualify for repair provided that the vehicle has not been branded as junk, scrap, non-repairable, flood or water damage (or similar).

28. Salvage vehicles meeting the criteria above that have since been repaired prior to importation qualify for registration into the RIV Program on the condition that the vehicle has not been branded as junk, scrap, non-repairable, flood or water damage (or similar). The brand record is associated with the VIN and remains part of its permanent history. A vehicle's status may change from "clear" to "salvage" to "rebuilt" throughout its history, but each status will remain part of the vehicle's permanent record.

### **Declaring a Salvage Vehicle for Importation (FMVSS Certified Vehicles Only)**

29. Importers of salvage branded vehicles have the option of importing the vehicle with the intention of rebuilding it or, in the event it has already been rebuilt, declared as a "salvage rebuilt" vehicle (or equivalent brand).

30. An importer may declare his salvage branded vehicle at the border using the *Vehicle Import Form – Form 1*, provided the following conditions are met:

(a) the vehicle's branding status indicated on the vehicle's CoT does not bear any indication of junk, scrap, non-repairable, flood or water damage or similar irreparable branding, and the vehicle is listed as admissible on the [VIC list from US](#);

(b) the VIN must be readable through the vehicle glazing (windshield) as normally affixed by the original manufacturer, if the VIN is damaged to the point that it is no longer readable or has been removed, the vehicle is no longer in full compliance with all US requirements, cannot be made to comply and therefore cannot be imported into Canada. If the VIN on the compliance label has been damaged, but the VIN on the dashboard is intact, the vehicle may be admissible;

(c) only the original salvage title or certificate, or a certified copy of the original may be accepted. Border services officers do not retain originals or certified copies. Photocopies of the documents are to be forwarded to the RIV by the border services officer. The RIV will then publish the VIN to the provincial and territorial licensing authorities via the Interprovincial Records Exchange upon entry of the vehicle.

**Once the above conditions are met**, an importer may import salvage branded vehicles through the RIV Program by:

(d) completing a *Vehicle Import Form – Form 1*, and presenting a Salvage Title from a state licensing authority or a licensed insurance provider to a border services officer. The officer will record the vehicle condition and title brand status observed at the time of importation on the form.

(e) ensuring that the vehicle is rebuilt within one year after being imported into Canada. The vehicle must be fully operational and made CMVSS compliant prior to being presented to the RIV for the final inspection. The original importer is responsible for ensuring that the vehicle is made CMVSS compliant and presented for RIV inspection before the vehicle is presented for licensing to a provincial or territorial licensing authority.

**Note:** Some provinces and territories have salvage/rebuild programs which can limit the importer's ability to register the vehicle although import formalities have been fulfilled.

### **Flood or Water Damaged Vehicles**

31. Flood or water-damaged vehicles coming from the US are considered junk/non-repairable by all licensing jurisdictions in Canada and can only be imported into Canada if the vehicle qualifies for entry under the Vehicle Imported for Parts Only Program.

### **Vehicles Imported for Parts Only Program (FMVSS US Certified Vehicles Only)**

32. FMVSS vehicles (salvage, clear titled, damaged or not) which are normally eligible for registration into the RIV Program listed and as admissible on the [VIC list from US](#) can be voluntarily declared for importation for "parts only" by declaring their importation into the Vehicle Imported for Parts program overseen by the RIV.

33. For FMVSS vehicles listed as inadmissible on the [VIC list from US](#), they may be imported for parts only **on the condition they are accompanied by a Salvage Title** issued by a state licensing authority or a licensed insurance provider. These vehicles must be registered in the Vehicle Imported for Parts Only Program.

34. Vehicles imported under this program will be listed as non-repairable vehicles and their VIN's will be made available to the provincial and territorial registration authorities. When a vehicle is declared into the Vehicle Imported for Parts Only Program, **the status cannot be changed and the vehicle can never be licensed in Canada.**

**Note:** Salvage branded vehicles originating from countries other than the US that are less than 15 years old and buses manufactured on or after January 1, 1971, **are not eligible for importation** into Canada via the Vehicle Imported for Parts Only Program.

### **Declaring a Vehicle Under the Vehicle Imported for Parts Only Program (FMVSS Certified Vehicles Only)**

35. To import a **qualifying** vehicle under the Vehicle Imported for Parts Only Program, the importer must complete a *Vehicle Imported for Parts – Form 3* and present it to a border services officer at the time of importation along with original ownership documents (CoT or Salvage Title) and must register the vehicle in the Vehicle Imported for Parts Only Program with the RIV.

36. The vehicle must have been purchased or originally sold in the US, bear at minimum a US FMVSS Statement of Compliance label, or a VIN specific letter from the manufacturer in lieu of the SoC label and an identifiable VIN located on the dash.

### **Vehicles That Cannot be Registered in the RIV Program – Import Requirements**

#### **New CMVSS Specification Vehicles**

37. Vehicles originating from any country, including the US, must meet the following criteria to qualify as New CMVSS specification vehicles:

- (a) the vehicle must be purchased directly from a manufacturer, not from a retailer/dealer. Acquisition documents must clearly indicate a purchase at the manufacturing level;
- (b) the vehicle must be built to CMVSS and bear a Canadian SoC to that effect.

**Note:** Whether the vehicle importation is a commercial import or a private import, new CMVSS vehicles do not qualify for registration in the RIV Program.

#### **Appendix F: Authorized Importers – New CMVSS Vehicles**

38. The [Appendix F](#) Pre-clearance Program enables Canadian commercial importers to use streamlined border processes when importing **new fully complying Canadian specification vehicles** originating directly from foreign manufacturers. These vehicles have yet to be sold at retail, have never been owned, titled or licensed.

39. [Appendix F](#) lists companies that are authorized by Transport Canada to import new Canadian specification vehicles destined for the Canadian market without the need to submit a *Vehicle Import Form – Form 1* at the time of importation.

40. [Appendix F](#) identifies the authorized importer by company name, which must correspond with the name of the importer of record identified on the CBSA entry documentation. Vehicle entries are documented in accordance with established CBSA and OGD commercial import protocols.

#### **Appendix G: Authorized Importers – New CMVSS Vehicles**

41. The [Appendix G](#) Pre-clearance Program enables Canadian commercial importers to use streamlined border processes when importing **new fully complying Canadian specification vehicles** originating directly from foreign manufacturers. These vehicles have yet to be sold at retail, have never been owned, titled or licensed.



42. [Appendix G](#) identifies foreign manufacturers recognized by TC that export new Canadian specification vehicles destined for the Canadian market. To be admissible via Appendix G, the foreign vehicle manufacturer must be listed on Appendix G and be associated with the specific vehicle classes that have been recognized by TC.

43. The CBSA entry documentation must clearly reflect both of the above elements (vehicle manufacturer and vehicle class) to be granted border clearance via the [Appendix G](#) Pre-clearance Program. Importers **must submit a *Vehicle Import Form – Form 1*** to obtain border clearance. A single form can be submitted with an attachment listing several vehicles, rather than submitting one form per vehicle. The consolidation sheet shall include the VIN, make and model, date of manufacture of the vehicle, and vehicle class for each vehicle being imported. The CBSA will stamp the consolidation sheet with a CBSA office date stamp and will notate the transaction number.

**Note:** Canadian commercial importers must maintain a valid commercial importer number (RM number) registered with the [Canada Revenue Agency](#) (CRA) to be eligible to import via the [Appendix G](#) Pre-clearance Program. Commercial importers who do not have a valid importer number registered with the CRA are required to import via the case-by-case importation process.

### **TC’s Case-by-case Authorization Number/Letter – Importers of New CMVSS Vehicles**

44. The case-by-case procedure allows importers not listed in [Appendix F](#) and importers **who purchase new Canadian specification vehicles directly from foreign manufacturers** not listed in Appendix G to obtain a VIN specific pre-authorization number and letter from TC. Commercial importers without a valid importer number registered with the CRA can also use this process. Only vehicles with a VIN listed on the authorization number and letter can be released following the presentation of the TC authorization number and letter to the CBSA border services officer. Case-by-case authorized importers **must submit a *Vehicle Import Form – Form 1*** to obtain border clearance.

**Note:** It is the importer’s responsibility to obtain authorization from Transport Canada prior to presenting the vehicle for importation at the border.

### **TC’s Case-by-case Authorization Number and Letter – Importers of CMVSS Specification Vehicles Returning to Canada via a New Owner**

45. Canadian specification vehicles that were permanently exported to the US, such as in the case of a trade-in or a sale where a change in ownership occurred, and are later presented for importation by a new owner are not considered returning Canadian vehicles for TC purposes and must be imported via TC’s Case-by-case process.

### **New CMVSS Vehicles – Foreign Manufacturer CMVSS Delivery Program**

46. Canadians travelling abroad may arrange for the purchase of a new CMVSS vehicle that they will pick up directly from a foreign manufacturer abroad. These vehicles can enter as new CMVSS specification vehicles provided the following conditions are met:

- (a) it is certified by the original manufacturer to comply with the CMVSS, as evidenced by a SoC label affixed to the vehicle by the original manufacturer or a letter from the manufacturer; and
- (b) the vehicle is purchased new (i.e., the importer is the first owner).

47. Importers declaring a vehicle entry from a foreign manufacturer’s delivery program cannot enter the RIV Program and must submit a *Vehicle Import Form – Form 1* to obtain border clearance.

### **New CMVSS Boat Trailers Sold With a New Boat as a “Boat/Trailer Package” in the US**

48. Importers of new CMVSS boat trailers that were purchased directly from a boat manufacturer as part of a new boat and trailer package (or bundle) are to import the trailer outside the RIV Program when the boat trailer manufacturer is listed on TC’s [Appendix G](#) and showing as the vehicle manufacturer (not the vendor) on the *Vehicle Import Form – Form 1* and the trailer bears a valid CMVSS SoC label.

### **Vehicles Bearing Both CMVSS and FMVSS SoC Labels**

49. Some vehicles offered for sale or obtained directly from manufacturers in the US bear both a CMVSS and FMVSS SoC label affixed to the vehicle. The importer is responsible for declaring the vehicle by selecting the

appropriate entry on the *Vehicle Import Form – Form 1*. For the purpose of border clearance, these vehicles are to be imported **outside** the RIV Program if the importer provides a TC case-by-case authorization number and letter.

### Returning CMVSS Vehicles by Original Owner

50. Returning Canadian specification vehicles are exempt from registration in the RIV Program when former residents of Canada bring back the **same** vehicle they exported provided the vehicles are certified by the original manufacturer to comply with the CMVSS, the individuals can substantiate that the vehicles were purchased and registered by them in Canada prior to their departure, and the vehicles did not undergo substantial modifications or alterations (other than repairs or routine/warranty maintenance) while abroad.

### Canadian Vehicles Modified While Abroad

51. Where an individual temporarily exports a Canadian specification vehicle for the purpose of having modifications or alternations done to the vehicle, there may be implications with regards to maintaining the vehicle's CMVSS original certification. Depending on the nature, extent of the modifications and the age of the vehicle, the vehicle may be required to be certified by the company that performed the modifications in order to ensure it still complies with CMVSS. Where the modifications are deemed sufficient to warrant re-certification to CMVSS, the vehicle will no longer be considered a CMVSS specification vehicle and the vehicle will have to qualify for re-entry into Canada under established vehicle import guidelines. For example, but not limited to:

- (a) a van transformed into a motorhome (often known as a Class B motorhome);
- (b) a van equipped with raised roof and/or modified interior;
- (c) a pick-up or passenger car equipped with lift kit;
- (d) a motorcycle converted to a motor tricycle (trike);
- (e) a vehicle stretched or lengthened;
- (f) a vehicle built or assembled by more than one manufacturer must meet additional requirements (e.g., vocational truck, van conversions, motorhome, bus, limousine or other).

**Note:** When a border services officer examines a vehicle being declared for importation and observes extensive modifications beyond the scope of general repairs or maintenance for which certification to CMVSS cannot be ascertained, the shipment may be denied or detained until further clarification from TC is obtained allowing for its release.

### Non-regulated Vehicles

52. Non-regulated vehicles are vehicles that do not belong to a prescribed class of vehicle under the MVSA. These vehicles have no TC import requirements. Common examples are vehicles specially designed for agricultural use (farm tractor, hay wagon, etc.), for construction or landscaping use (forklift, backhoe, road grader, oversized mobile crane, etc.), closed course competition (racing), and recreation (dune buggy, golf cart (excluding all-terrain vehicles and motorcycles) etc.).

53. Non-regulated vehicles still need to meet any other applicable CBSA and OGD requirements at the time of importation. Although their entry is not formally required to be recorded on a *Vehicle Import Form – Form 1*, there may be circumstances where the importer will be required to provide a completed form to provincial and territorial licensing authorities in Canada for registration purposes. As such, the importer **can** submit a completed Form 1 and indicate that the vehicle is **not** required to enter the RIV Program and checking the “non-regulated vehicle or work vehicle” entry box on the Form 1.

**Note:** The original design intent of the manufacturer (i.e., the class and characteristics of the vehicle as designed at the time of main assembly), **not how the importer plans to use a vehicle in Canada** determines the non-regulated status of a vehicle.

### Work Vehicles

54. The term “work vehicle” means a vehicle designed primarily for the performance of work in the construction of works of civil engineering and in maintenance that is **not** constructed on a truck-chassis or truck-type chassis.

55. Trucks designed for operation **exclusively** in an off-road environment are also considered as non-regulated vehicles at importation (e.g., oversized mobile cranes, large articulated off-road dump trucks, yard shunt trucks, etc.).

**Note:** Using a regulated class of vehicle to preform work or business-related duties **does not qualify** the vehicle for importation as a non-regulated work vehicle. The original design intent of the manufacturer (i.e., the class and characteristics of the vehicle as designed at the time of main assembly), **not how the importer plans to use a vehicle in Canada** determines the non-regulated status of a vehicle.

### Trailers as Work Vehicles

56. Under certain circumstances, trailers can be considered non-regulated under the [MVSA](#) when they exceed 2.59 m (102 inches) in overall width and/or designed to perform work-related functions. When a trailer qualifies for entry as a work vehicle, its entry is to be recorded according to the non-regulated vehicle border clearance process.

**Note:** Using a regulation-sized trailer to perform work or business-related duties **does not qualify** the trailer for importation as a non-regulated work vehicle. The original design intent of the manufacturer (i.e., the class and characteristics of the vehicle as designed at the time of main assembly), **not how the importer plans to use a vehicle in Canada** determines the non-regulated status of a vehicle.

### Agricultural Vehicles (Farm Husbandry)

57. Agricultural vehicles, also known as farm husbandry, are vehicles that are designed exclusively for the performance of agricultural work (eg. hay wagons, manure spreaders, farm tractors, and pick-up balers, etc.).

58. Trucks and trailers used in the performance of agricultural work but designed for highway use (e.g., silage trucks, stock trailers, etc.) are not considered agricultural vehicles and must qualify for importation as a regulated class vehicle under established border clearance procedures.

**Note:** The original design intent of the manufacturer (i.e., the class and characteristics of the vehicle as designed at the time of main assembly), **not how an importer plans to use a vehicle in Canada** determines the non-regulated status of a vehicle.

### Mobile Homes

59. A mobile home is a vehicle that is more than 2.59m (102 inches) in overall width and that is designed to be drawn behind another vehicle and to be used as a living or working accommodation unit. Its entry is to be recorded according to the non-regulated vehicle border clearance process.

**Note:** Trailers manufactured and sold as “park models” that look like mobile homes but are less than 2.59m (102 inches) in overall width and are equipped with all the necessary features for road travel are considered trailers and must qualify for importation as a trailer under established border clearance procedures.

### Side-by-side Utility Terrain Vehicles (UTVs)

60. UTVs, commonly referred to as side-by-side UTV’s, are not regulated under the [MVSA](#) as all-terrain vehicles (or ATVs) and restricted-use motorcycles because they are not equipped with steering handlebars and the passengers are sitting side-by-side rather than astride.

61. UTV’s are not considered regulated at importation when they are clearly designed for off-road use only. If it appears that the vehicle is not designed exclusively for off-road use because it has enough design features for practical on-road use, it can lead to interpreting the importation of the vehicle as a regulated class of on-road vehicle, a border services officer may seek further clarification from TC before allowing for its release.

### Competition Vehicles

62. A competition vehicle is defined by TC as a vehicle designed for use exclusively in closed-course competition and that either bears a label affixed by the manufacturer stating, in both official languages, that the vehicle is a competition vehicle and is for use exclusively in close-course competition, or is accompanied by a signed declaration clearly indicating that the vehicle is a competition vehicle and is for use exclusively in closed-course

competition. Competition vehicles can be motorcycles, dirt bikes, mini bikes, snowmobiles, cars, trucks, etc. and are considered non-regulated under the [MVSA](#) when meeting the criteria of a competition vehicle.

63. For vehicles that have been adapted for competition and bearing obvious evidence of their modifications for closed-course competition purposes, importers must provide a signed declaration clearly indicating that the vehicle is a competition vehicle and is for use exclusively in closed-course competition. An importer can also provide as evidence a written declaration from a racing sanctioning body with regards to the vehicle classification as a competition vehicle.

64. Competition vehicles still need to meet any other applicable CBSA and OGD requirements at the time of importation. Although their entry is not formally required to be recorded on a *Vehicle Import Form – Form 1*, there may be circumstances where the importer will be required to provide a completed form provincial and territorial licensing authorities in Canada for registration purposes as a competition vehicle. As such, the importer **can** complete a form and indicate that the vehicle is **not** required to enter the RIV Program and checking the “non-regulated or work vehicle” entry box on the Form 1.

**Note:** TC does not consider an off-road environment to be a closed-course competition environment and as such, restricted-use motorcycles (mini bikes, dirt bikes or ATVs) are not considered competition vehicles unless the manufacturer has explicitly designed the product as a competition vehicle. Also, a mainstream regulated vehicle that has been modified for the dual purpose of racing and road use is not considered a competition vehicle and must qualify for importation under the vehicle’s original class to which it belongs (e.g., car, truck or motorcycle).

### Age-exempt Vehicles

65. All regulated classes of vehicles with a date of manufacture equal to or greater than 15 years from the date of importation and buses manufactured prior to January 1, 1971 are not regulated under the [MVSA](#). These vehicles still need to meet any applicable CBSA and OGD requirements at the time of importation. The entry is to be recorded on a *Vehicle Import Form – Form 1* as a vehicle not required to enter the RIV Program by checking the appropriate vehicle entry box.

**Note: When no identification markings whatsoever** exist on a vehicle that allows a border services officer to validate the age-exempt status of the vehicle with respect to the paperwork being supplied by the importer, **the vehicle (including trailers) does not qualify for importation** into Canada as age-exempt.

### Age-exempt Vehicles That Have Been Modified

66. The following types of age-exempt vehicles that have been modified are still **considered admissible for importation** as “age-exempt”;

- (a) vehicles having undergone regular maintenance, equipped with replacement parts, or newly painted, etc.;
- (b) rebuilds/restorations that maintain the older vehicle’s original characteristics;
- (c) vehicles equipped with a lift kit, if the vehicle is greater than 15 years of age at time of importation;
- (d) vehicles modified into hot rods or street rods using an age exempt donor body and chassis;
- (e) vintage replica vehicles including vehicles built from kits more than 15 years ago (or prior to Jan 1, 1971 for buses), for which the age is assessed using the final date of completion of the replica or the starter kit, **not the model year it replicates**.

### Vehicles Entered Temporarily

67. The circumstances listed below allow for the temporary entry of a vehicle into Canada without having to comply with TC’s import requirements at point of entry into Canada. These vehicles generally do not require a *Vehicle Import Form – Form 1* unless a vehicle requires to be registered in the province or territory during its temporary entry. As such, the importer **can** submit a completed form and indicate that the vehicle is **not** required to enter the RIV Program and checking the “visitor or temporary resident” entry box on the Form 1.

**Note:** Motor vehicles which have been documented on a temporary admission permit, Form E99 – *CBSA Report*, or Form [E29B – Temporary Admission Permit](#), will only be issued a Form 1 when the importer confirms or anticipates having to fulfill provincial/territorial registration obligations.

68. A temporarily imported vehicle **cannot be sold, gifted or otherwise disposed of while in Canada, does not qualify for permanent importation and cannot remain in Canada longer than the time constraints listed on a persons' work permit, student visa, or other CBSA entry documents.** Once these time limits have been exceeded, the vehicle no longer qualifies for temporary entry and must be exported. Should the temporary status of persons change while they are in Canada, the vehicle will have to be exported and subject to the regular importation requirements for that class of vehicle so as to determine if the vehicle is admissible as per the applicable sections of this memorandum.

### **Visitors, Tourists and Temporary Residents**

69. The vehicles that are entered by visitors, for a period not exceeding 12 months; temporary residents such as students studying at an institution of learning, for the duration of their studies in Canada; or individuals with valid work permits/authorizations for employment for a period not exceeding 36 months.

70. Temporary residents and visa holders whose vehicle may require licensing while temporarily in Canada may submit a *Vehicle Import Form – Form 1* at the border.

### **In-transit Vehicles**

71. In-transit vehicles are vehicles that are travelling through Canada for the purpose of going to another country and are not destined for consumption in Canada. These vehicles are not subject to TC's import formalities.

### **Foreign Owned Vehicles Entering Canada for Repairs or Alterations**

72. Vehicles that are foreign owned and are entering temporarily for repair or alternations where the repair may or may not be done under a warranty arrangement.

**Note:** The importation of a vehicle for repairs or alterations by a Canadian resident or a Canadian company where the vehicle is owned by an American **does not require** a *Vehicle Import Form – Form 1* nor TC's Schedule VII **but** the vehicle must bear evidence of US registration or ownership. When the Canadian driver is working for the company that will repair, provide warranty service or do alterations as a service to the US owner, the driver must be able to identify the vehicle's destination and the name of the company providing those services. These vehicles can remain in Canada for a period not exceeding 12 months.

### **US Rental Vehicles Driven by Canadians**

73. Vehicles that have been rented in the US by Canadians residents from a US vehicle rental business may enter Canada for non-commercial purposes and they shall be removed from Canada within a period of 30 days, or any other prescribed period, beginning on the day on which the vehicles were imported.

74. If within the period of 30 days or any other prescribed period beginning on the day on which the vehicles were imported, the resident of Canada delivers the vehicles to a vehicle rental business in Canada with the consent of the business, then the vehicles' rental business shall be responsible for removing the vehicles' from Canada before the end of that period.

### **Diplomats**

75. Vehicles imported by diplomats, if authorization to import the vehicle has been granted from the Foreign Affairs and International Trade Canada in writing, for the duration of the person's posting in Canada the vehicle(s) is/are not registered in the RIV Program. Additional information is contained in [Memorandum D21-1-1, Customs Privileges for Diplomatic Missions, Consular Posts, and International Organizations \(Tariff Item No. 9808.00.00\)](#).

### **Visiting Forces Personnel**

76. Vehicles imported by visiting forces personnel, for the duration of their assignment in Canada are not registered in the RIV Program. Visiting forces personnel whose own vehicle may require licensing while



temporarily in Canada may submit a *Vehicle Import Form – Form 1* at the border for processing according guidelines for non-RIV entries.

### **US Preclearance Personnel**

77. Vehicles are entered by US pre-clearance personnel and their dependents, for the duration of the US officer's posting in Canada are not registered in the RIV Program. US pre-clearance personnel whose own vehicle may require licensing while temporarily in Canada may submit a *Vehicle Import Form – Form 1* at the border for processing according guidelines for non-RIV entries.

### **Convention Services Program**

78. To import a vehicle under the International Events and Convention Services Program, please refer to [Memorandum D8-1-2, \*International Events and Convention Services Program \(IECSP\)\*](#).

### **Hardship Provision for Travellers**

79. In special circumstances and only under casual importations, Canadian residents may be permitted at the discretion of the CBSA to temporarily import non-compliant vehicles as a result of an emergency or unforeseen circumstance without having to undergo a formal vehicle import border assessment.

### **Transport Canada Schedule VII – Temporary Importation of Non-compliant Vehicles**

80. A Schedule VII declaration permits the temporary importation of non-compliant vehicles (vehicles not certified to CMVSS) into Canada, for a period of up to one year for the following purposes:

- (a) “exhibition”: events where vehicles of various manufacturers or producers are displayed (e.g., exhibits for auto shows) and where the vehicle is the subject of the exhibit;
- (b) “demonstration”: to show vehicle models or types to prospective clients, or for use in vehicle promotional-type events (e.g., prototypes, pre-production models);
- (c) “evaluating or testing”: vehicles imported by companies to perform compliance testing or to evaluate vehicle integrity in particular environments or circumstances (e.g., cold-weather testing);
- (d) further manufacturing of incomplete vehicles prior to export; or,
- (e) works or operations that require a specially-designed vehicle for entertainment industry productions, civil engineering project or similar works or operations.

81. Although vehicles imported under the terms of a Schedule VII are exempt from having to comply with CMVSS, vehicles still need to meet any applicable CBSA and OGD requirements at the time of importation.

82. A request to import a non-compliant vehicle, for the purposes described above, via a Schedule VII declaration must be submitted and approved by Transport Canada prior to presenting a vehicle at the Canadian border.

83. Schedule VII importers who require vehicle licensing while temporarily in Canada may submit a *Vehicle Import Form – Form 1* at the border and indicate that the vehicle is **not** required to enter the RIV Program and checking the “vehicle declared for temporary entry using a Schedule VII” entry box on the Form 1.

### **Inadmissible Vehicles**

84. Inadmissible vehicles are vehicles that **do not qualify for entry under any of the above** established RIV and non-RIV border clearance guidelines. The following sections provide additional information about known circumstances leading to vehicles being inadmissible for importation into Canada.

### **Modified Vehicles (Includes Returning CMVSS Vehicles)**

85. Once modified, other than having general repairs or routine maintenance, a vehicle no longer maintains its original factory issued certification. This certification is required for importation into Canada. When modified vehicles are purchased to import into Canada, the vehicle modifier or final stage manufacturer must establish that



the vehicle complies with all applicable standards. **Vehicles without this evidence will be denied entry to Canada.** For example:

- (a) a motorcycle converted into a trike;
- (b) a cargo van converted into a camper;
- (c) adding a suspension lift kit to a vehicle;
- (d) adapting a vehicle for disabled access;
- (e) lengthening a vehicle;
- (f) re-fitting a vehicle with a different body kit.

86. This also applies to Canadian certified vehicles modified in the US and returning to Canada. Where an individual temporarily exports a Canadian specification vehicle for the purpose of having modifications or alternations done to the vehicle, there may be issues with regards to maintaining the vehicle's CMVSS certification. Depending on the nature and extent of the modifications, the vehicle may be required to be certified by the company that performed the modifications in order to ensure it still complies with the CMVSS. Where the modifications to a vehicle are not certified and no longer comply with the CMVSS, then the vehicle will no longer be considered a Canadian specification vehicle and will not qualify for re-entry into Canada.

### **Vehicles Equipped With Modified Suspension Systems (Lift Kits, Pneumatic Systems, etc.)**

87. Vehicles of a regulated class **less than** 15 years old, and buses manufactured on or after January 1, 1971, presented for importation fitted with modified suspensions such as lift or lowering kits, pneumatic suspension systems, etc. are **inadmissible for importation** into Canada because the original manufacturer's certification is no longer maintained. This also applies to returning Canadian owned vehicles that were temporarily exported to be modified.

### **Vehicles Manufactured for a Foreign Market**

88. Vehicles of a regulated class **less than** 15 years old, and buses manufactured **on or after** January 1, 1971, that are manufactured for a foreign market (a market **other than** the US), and do not comply with the CMVSS are **not eligible for importation**. There are no allowances in the [MVSA](#) or the [MVSRR](#) that allow for non-compliant vehicles to be modified in order to comply with CMVSS, with the exception of vehicles purchased or originally sold on the US market.

### **Grey Market Vehicles**

89. Grey market vehicles are vehicles that were originally manufactured for a foreign domestic market and were subsequently imported into the US where they have been modified to comply with the US safety and emissions standards. Grey market vehicles may be identified by a label affixed by the US company that altered the vehicle, indicating that they have been "imported", "altered", or "modified" to comply with the United States standards. These vehicles may not have a certification label affixed to them. Grey market vehicles less than 15 years old (or buses manufactured on or after January 1, 1971) **are inadmissible for importation** into to Canada.

### **New Trucks Assembled From Glider Kits**

90. TC considers trucks **manufactured from "glider kits" are inadmissible** for importation into Canada due to the lack of certification that demonstrates that these vehicles comply with all applicable CMVSS or FMVSS. Trucks assembled from glider kits, 15 or more years ago, where the importer can submit proof to support the claim for exemption due to age (e.g., registration document) may be admissible under age-exempt status if satisfactory evidence is provided.

### **Replica Cars**

91. Replica cars are treated as vehicles at importation. As they lack the necessary certification to comply with CMVSS, they **are not admissible for importation** unless they were assembled 15 or more years ago (or a bus manufactured prior to January 1, 1971) and the importer can submit proof of age (e.g., a registration document).

Note that the age of a replica car is assessed using the final date of assembly of the replica, **not the model year it replicates**.

92. **When no identification markings whatsoever exist on a vehicle to validate the age-exempt status of the vehicle, the vehicle does not qualify for importation using the “non-regulated due to age” exemption and are inadmissible.**

93. The most common examples of inadmissible replica vehicles are:

(a) vehicles modified into hot rods, street rods using a donor body and chassis where no identification markings whatsoever exist on the vehicle that can be used to validate the age-exempt status of the donor chassis with the paperwork being supplied by the importer;

(b) vintage replica vehicles including vehicles built from kits, where no identification markings whatsoever exist on a vehicle that can be used to validate the age-exempt status of the vehicle with the paperwork being supplied by the importer.

### **Kit Cars**

94. Kit cars whether fully assembled or unassembled are treated as vehicles at importation. As they lack the necessary certifications to comply with CMVSS, they **are not admissible for importation** unless they were assembled 15 or more years ago and the importer can submit proof of age (e.g., a registration document). The age of a kit car is determined by the final date of assembly of the kit, not the model year it replicates.

### **Junk, Scrap, Non-repairable Branded and Flood or Water Damaged Vehicles**

95. Any vehicle branded as junk, scrap, non-repairable (or equivalent) as per any vehicle registration authorities or insurance providers documentation **are inadmissible for importation as “vehicles”**.

96. Furthermore, flood or water-damaged vehicles are considered junk/non-repairable by all licensing jurisdictions in Canada and can only be imported into Canada if the vehicle qualifies for entry under the Vehicle Imported for Parts Only Program. Refer to paragraph 30 for admissibility requirements when declaring vehicles to be imported for parts only.

### **Shipments of Individual Vehicle Parts**

97. The [MVSA](#) does not regulate shipments of individual parts, with the exception of tires, child car seats and booster seats.

98. When a border services officer examines a parts shipment (or series of related parts shipment), he will assess if the shipment(s) contains enough parts to meet the definition of a vehicle under the [MVSA](#), or of an incomplete vehicle under the [MVSR](#)'s definition. If it is unclear or it becomes evident that the shipment may contain enough parts to meet the definition of a vehicle or incomplete vehicle, the shipment is to be denied or detained until further clarification from TC is obtained allowing for its release.

### **Vehicle Starter Kits**

99. Starter kits are an assemblage of parts (kit) used in the amateur building of a home built vehicles and do not include important systems such as the fuel, brake, power train and suspension systems. On their own, they must not (and cannot) amount to a vehicle.

100. Vehicle starter kits may be imported when adhering to the procedures stipulated in the [TC fact sheet](#) on importing kit car parts. Importers must submit a request for pre-approval to TC and if the kit meets the requirements as stipulated in the TC guidelines, TC will issue an authorization number and letter to the importer to be presented to CBSA at time of importation.

### **Glider Truck Kits (Not Completed Into Trucks)**

101. A “glider kit” is an assemblage of parts (kit) that would constitute a truck minus the power train (e.g., engine, transmission, and drive axle(s)). When it comes to the importation of bare glider kits, they may be imported as parts into Canada because they do not meet the [MVSA](#)'s definition of a vehicle or the [MVSR](#)'s definition of incomplete vehicle, and therefore do not fall under TC's jurisdiction.

## Tires

102. Canadians wanting to import tires are subject to meeting the requirements of [Memorandum D19-12-2, \*Importation of Tires\*](#).

## Child Car Seats and Booster Seats

103. Canadians wanting to import child car seats or booster seats should contact TC (refer to the “Additional Information” section of this document for contact information).

## Vehicle Importation Disposal Restrictions

104. The Form 1 contains a section entitled “Notice to Provincial/Territorial Licence Authority K-22.” This portion of the form is used to identify whether or not a vehicle has had a disposal restriction imposed by CBSA. The presence of an office date stamp in this section notifies provincial/territorial licensing authorities that the vehicle identified on the Form 1 was accounted for by CBSA.

105. There are three possible disposal restriction options:

(a) This conveyance may not be sold or disposed of in Canada **at any time**, without authorization from the CBSA. This restriction indicates that the vehicle may not be sold without CBSA’s authorization and will be imposed in the following situations:

- (i) foreign students, who normally reside in Canada for the duration of the school year;
- (ii) individuals temporarily employed in Canada, for a period of up to 36 months;
- (iii) diplomats, and US preclearance personnel, for the duration of their assignment in Canada; and
- (iv) visitors and temporary residents who legally remain in Canada and whose vehicle remains in Canada in excess of **provincial** time limits must have their vehicle licensed and registered.

**Note:** Motor vehicles which have been documented on a temporary admission permit, Form E99 – *CBSA Report*, or Form [E29B – Temporary Admission Permit](#), should only be issued a Form 1 when the importer confirms or anticipates having to fulfill provincial/territorial registration obligations.

(b) This conveyance may not be sold or disposed of in Canada **on or before (date)**. This option indicates that the conveyance may not be sold or disposed of in Canada on, or before the date specified by the CBSA.

**Note:** Generally this applies to settlers, including non-residents who have applied for landed immigrant status and returning Canadians whose vehicles may not be sold for a period of up to 12 months following their arrival in Canada.

(c) This conveyance is not subject to a **disposal** restriction. This option indicates that this conveyance may be sold or disposed of in Canada at any time, without authorization from the CBSA.

106. Persons who import vehicles subject to **disposal** restrictions should be reminded that the restrictions must be complied with at all times.

107. In all instances where a Form 1 is issued, the CBSA will ensure that the importer and vehicle data portion of the form is completed, that a disposal restriction option is indicated, that a transaction number is recorded, and that a date stamp appears in the box to the right of that section.

## Form 1 Procedure Charts — See Appendix

108. The charts A (1) to A (2) provide an overview of steps to follow when completing a hardcopy *Vehicle Import Form – Form 1* and chart A(3) provides steps to follow for issuing a replacement hardcopy Form 1. (Refer to the Appendix)

109. For Vehicle Import E-forms, the processes are similar but the section numbers (e.g., 17 for RIV versus 16 for RIV-exempt) may actually show section 16 in both cases on the printed e-form. **Please read carefully the title and name of the import declaration category provided in the Vehicle Import E-forms to ensure proper border processing.**

## Implementation of the CBSA Single Window Initiative (SWI)

110. As of **March 29, 2015** electronic release requests may also be provided to the CBSA by submitting the Integrated Import Declaration (IID), service option 911.

111. For most commercial importations of vehicles, the completion of a *Vehicle Importation Form – Form 1* and *Vehicles Imported for Parts – Form 3* can be processed via the IID. Importers that submit these forms using the IID will no longer be required to sign and date the form.

112. Vehicles imported under the case-by-case process will no longer be required to **present** a case-by-case letter for both Canadian and US specification vehicles. However, importers will need to continue to apply to **TC 4 to 6 weeks in advance** to obtain approval and to receive a case-by-case authorization number that can be used in the IID process.

113. Importers may now submit required data electronically, including the Statement of Compliance. In addition, required images (e.g., licence(s), permit(s), and certificate(s) and other(s) can be electronically submitted through the use of the new Document Image Functionality, service option 927.

114. The following entry types **cannot be submitted using the IID EDI transmission option**: Schedule VII importations and personal importations of vehicles.

115. The SWI IID [Electronic Commerce Client Requirements Document \(ECCRD\)](#) provides technical and system requirements information. Please refer to Appendix B of the ECCRD for data elements and LPCO image requirements for each of the vehicles processes.

116. For more information on the SWI, please refer to the [CBSA website](#).

## Other Vehicle Import Requirements That May Apply

### Environment Canada (EC) Requirements

117. On-road vehicles may be subject to the [On-road Vehicle and Engine Emission Regulations](#) under the [Canadian Environmental Protection Act, 1999](#), administered by Environment Canada.

118. Off-road vehicles may be subject to the [Marine Spark-ignition Engine, Vessel and Off-road Recreational Vehicle Emission Regulations](#) under the [Canadian Environmental Protection Act, 1999](#), administered by Environment Canada.

119. For assistance, the importer can contact Environment Canada (EC). Contact information and web site addresses can be found in the “Additional Information” section of this document.

### Canadian Food Inspection Agency (CFIA) Requirements

120. The following are subject to import requirements, and inspection procedures and fees in order to prevent the entry and establishment of injurious plant pests in Canada:

- (a) used agricultural vehicles, equipment, implements, containers, and carriers;
- (b) used earth moving vehicles, equipment, implements, tools, carriers and containers;
- (c) used passenger and recreational vehicles; and
- (d) used military equipment.

121. Regardless of origin, imported used vehicles, farm equipment and related earth moving vehicles and equipment must be free from soil, sand, earth, plant residue, manure and related debris. Many exotic plant pest organisms capable of causing economic loss to Canadian agricultural production can be transported in soil and related matter. For additional information, refer to [Memorandum D19-1-1, Food, Plants, Animals and Related Products](#).

### Customs Tariff, Taxes and Duties

122. Vehicles eligible for importation into Canada will be assessed for duty, excise tax and the goods and services tax (GST). The CBSA will assess duty on a vehicle manufactured in a country other than the US and Mexico.

123. If a vehicle is imported into Nova Scotia, New Brunswick, Newfoundland and Labrador, Ontario or British Columbia the importer must pay the GST, as well as the provincial part of the harmonized sales tax (HST) when they license their vehicle. For other provinces, sales tax may be applied when they license their vehicle.

### **Green Levy and Air Conditioning Tax**

124. Imported vehicles that have an air conditioning unit are subjected to a CAN \$100 excise tax. Importers will have to pay additional excise taxes (Green Levy) only if the vehicle has a weighted average fuel consumption rating of 13 or more litres per 100 kilometers and is put into service after March 19, 2007.

125. The Green Levy applies to automobiles (including station wagons, vans, and sports utility vehicles) designed primarily for the use as passenger vehicles, but not including pickup trucks, vans equipped to accommodate 10 or more passengers, ambulances, and hearses.

### **Detention**

126. The CBSA has the authority to detain inadmissible vehicles that do not meet the TC's import requirements under section 101 of the [Customs Act](#).

127. Detained vehicles presented by non-commercial entities will be documented on Form BSF241, *Non-monetary General Receipt*. Detained vehicles presented by commercial importers will be documented on Form K26, *Notice of Detention*, and in addition, the accounting package presented for release will be rejected. These documents must indicate that the vehicle is detained for non-compliance under the [MVSA](#) and/or the [MVSR](#) and is to be **exported or destroyed**. A copy of Form K24 or Form K26 is forwarded to TC as notification of the detention. Importers seeking to appeal a CBSA detention decision must contact TC for further clarification on steps to follow.

### **Storage**

128. The guidelines and procedures outlined in [Memorandum D4-1-5, Storage of Goods](#) apply to all vehicles detained, pending disposal. The time limit for storage outlined in D4-1-5 will be upheld at all times unless TC authorizes an extension. The importer is responsible for the costs associated with storage.

### **Disposal**

129. Vehicles that fail to qualify for importation under the [MVSA](#) that are seized, abandoned or forfeited may be sold under Crown disposal rules on the condition they are sold "for export only" and follow-up is completed with CBSA to validate the vehicles have been exported. Otherwise it will be subject to destruction by crushing or cubing under CBSA supervision.

### **Penalty Information**

130. Every corporation that contravenes any provision of the [Motor Vehicle Safety Act](#) is guilty of an offence and is liable:

- (a) on summary conviction, to a fine not exceeding CAN\$100,000; or
- (b) on indictment, to a fine not exceeding CAN\$1,000,000.

131. Every individual who contravenes any provision of the [Motor Vehicle Safety Act](#) is guilty of an offence and is liable:

- (a) on summary conviction, to a fine not exceeding CAN\$2,000 or to imprisonment for a term not exceeding six months, or to both; or
- (b) on indictment, to a fine not exceeding CAN\$10,000 or to imprisonment for a term not exceeding two years, or to both.

## Additional Information

132. For information about import requirements for vehicles purchased or originally sold in the US and the RIV Program, contact:

Registrar of Imported Vehicles  
405 The West Mall, Suite 500  
Toronto, ON M9C 5K7

Telephone: **1-888-848-8240** (toll-free from within Canada or the United States) or 416-626-6812 (all other countries)  
Fax: 416-626-0366  
Email: [support@support.riv.ca](mailto:support@support.riv.ca)  
Website: [www.riv.ca](http://www.riv.ca)

133. For additional information on importing vehicles or further clarification on content found in the memorandum, contact:

Motor Vehicle Safety Directorate  
Transport Canada  
Place de Ville, Tower C  
330 Sparks Street  
Ottawa, ON K1A 0N5

Telephone: **1-800-333-0371** (toll-free in Canada and the United States) or 613-998-8616  
Fax: 613-998-8541  
Email: [mvs-sa@tc.gc.ca](mailto:mvs-sa@tc.gc.ca)  
Website: [www.tc.gc.ca](http://www.tc.gc.ca)

134. For information about the **e requirements**, contact one of the following Import Service Centers (ISC):

**Eastern ISC** (for Quebec and Atlantic) 7:00 a.m. to 11:00 p.m. (local time)  
Telephone: **1-877-493-0468** (toll-free in Canada and the United States) 514-493-0468 (other countries)  
Fax: 514-493-4103

**Central ISC** (for Ontario) 7:00 a.m. to 12:00 a.m. (local time)  
Telephone: **1-800-835-4486** (toll-free in Canada and the United States) 416-661-3039 (other countries)  
Fax: 416-661-5767

**Western ISC** (for the Prairies and British Columbia) 7:00 a.m. to 12:00 a.m. (local time)  
Telephone: **1-888-732-6222** (toll-free in Canada and the United States) 604-666-9240 (EDI and other countries)  
Fax: 604-666-1577  
Website: [www.inspection.gc.ca](http://www.inspection.gc.ca)

135. For information about Environment Canada's requirements, contact Environment Canada at:

Environment Canada  
Inquiry Centre  
10 Wellington, 23<sup>rd</sup> Floor  
Gatineau, QC K1A 0H3

Telephone: 819-997-2800  
Toll Free: **1-800-668-6767** (in Canada only)  
Fax: 819-994-1412  
Teletypewriter: 819-994-0736  
Email: [enviroinfo@ec.gc.ca](mailto:enviroinfo@ec.gc.ca)

136. For more information, within Canada call the Border Information Service at **1-800-461-9999**. From outside Canada call 204-983-3500 or 506-636-5064. Long distance charges will apply. Agents are available Monday to Friday (08:00 – 16:00 local time / except holidays). TTY is also available within Canada: **1-866-335-3237**.



## Appendix

### Chart A-1: Procedures for Vehicles to be Registered in the RIV Program

Step	Action	I/B	CBSA
1	Report to the CBSA office.	X	
2	Verify that the vehicle is listed as admissible on TC's <a href="#">VIC list from US</a> or by contacting the RIV at <b>1-800-575-0465</b> or <b>1-800-691-5911</b> (Quebec only).		X
3	Verify that commercial vehicle importations required to be registered in the RIV Program are being processed at a <a href="#">designated CBSA office</a> .		X
4	Complete boxes 1 to 15 of the Form 1 and sign and date declaration in box 17.	X	
5	Verify that boxes 1 to 15 of the Form 1 are complete.		X
6	<b>Titles:</b> Title documents are mandatory. Verify the CoT, Salvage Title, or the Manufacturer's Certificate of Origin for new U.S. compliant vehicles. The title document must be an original. If a title document is not submitted, refuse entry. This applies for both casual and commercial importations.		X
7	In the case of a <b>leased or financed vehicle</b> , if the financial institution does not provide the client with the original CoT or a certified copy of the CoT, then a copy of the CoT with an original letter/statement from the financial institution authorizing that specific vehicle to be exported is acceptable. The statement should identify the vehicle and include the VIN of the vehicle.		X
8	<b>Information:</b> Verify whether the vehicle, importer, and vendor information matches the information on the supporting documentation (Title, US proof of export (if provided), licensing document, bill of sale, invoice, etc.)		X
9	Verify and ensure that the importer or broker has signed the declaration in box 17 on the carbon copy editions of Form 1, or the adequate RIV declaration section on a printed Vehicle Import E-form.		X
10	Examine the vehicle for the appropriate SoC label and ensure that the VIN matches the VIN provided on the form and the supporting documentation. For these vehicles the border services officer will make best efforts to ensure that the vehicle description and the "Vehicle Identification Number" (VIN) are accurately represented on the Form 1. <b>Note:</b> ATVs or restricted-use motorcycles can have a 14 to 17-character VIN.		X
11	Cross out box 16 on legal size carbon copy editions of Form 1.		X
12	Facilitate payment of RIV fee: (a) Credit card payments can be processed on-line by the border services officer or by the importer after importation using the following website: <a href="http://www.riv.ca">www.riv.ca</a> ; (b) Credit card payments can also be processed by calling the RIV at <b>1-800-575-0465</b> or <b>1-800-691-5911</b> (Quebec only) to obtain credit card authorization, and record authorization number in box 17; or (c) If payment will be made by cheque or in another form, provide a RIV payment envelope to the importer, ensure that the payment envelope option is chosen in box 17 (or RIV section on E-form), and advise importer that the payment should be made payable to the RIV, to quote the Form 1 control number (top right hand corner), and mail inland.		X
13	Complete the K22 section: (a) choose the appropriate disposal restriction option; (b) write N/A for the options not being used; (c) record the CBSA transaction number; and (d) stamp the K22 section on all copies (if importer will pay RIV fee directly online after importation, as the processing agent ID is required). <b>Important Note: Do not stamp the lower portion, either box 16 (e-form) or 17 (legal size carbon copy editions).</b>		X
14	Fax the form and a copy of the title to the RIV at <b>1-888-346-8235</b> , within 24 hours of registration at the latest.		X
15	Distribute copies of the form as follows: (a) provide importer with province/territory(original) and importer copies. For legal size carbon copy formats, the white (provincial) and gold (importer). For printed e-form, the forms indicated with a watermark and bottom annotation as <b>province/territory</b> (considered the original) and <b>importer</b> ; (b) retain the CBSA copy (canary/yellow color or indicated as CBSA such on e-form); and (c) mail the RIV copy (pink, or indicated as <b>Registrar of imported vehicles</b> on e-form) to the RIV at the address below <b>within 24 hours of registration</b> .		X

	Registrar of Imported Vehicles 405 The West Mall, Suite 500 Toronto, ON M9C 5K7 Advise the importer to submit any Recall Clearance letters to the RIV as soon as possible once in Canada, and to contact them (telephone number <b>1-888-848-8240</b> , fax number <b>1-888-642-9899</b> , website <a href="http://www.riv.ca">www.riv.ca</a> ) in order to obtain the RIV vehicle inspection form.		
16	Process and release vehicle in accordance with regular CBSA processing.		X
17	If payment is to be forwarded by mail in a RIV payment envelope, mail payment. If payment is to be processed on-line after importation, process payment on-line.	X	
18	Complete modifications required to the vehicle to comply with CMVSS and have vehicle inspected by a RIV inspection station within 45 days.	X	

**Chart A-2: Procedures for Vehicles Not Required to be Registered in the RIV Program**

Step	Action	I/B	CBSA
1	Report to a CBSA office.	X	
2	Complete boxes 1 to 16 on Form 1, and sign and date the declaration in box 16.	X	
3	Verify that boxes 1 to 16 of the Form 1 are complete; box 16 must identify the proper import declaration category and contain the signature of the importer or the broker.		X
4	Verify whether the vehicle, importer, and vendor details match supporting documentation (ownership documents (certificate of title not mandatory), licensing document, bill of sale, or the New Vehicle Information Statement (NVIS) for new Canadian compliant vehicles etc.) where applicable.		X
5	Write N/A in box 2.		X
6	Verify that the import option identified in box 16 applies and qualifies for importation as declared.		X
7	Place CBSA officer stamp in box 16 on all copies.		X
8	Cross out box 17 on legal size carbon copy editions of the Form 1.		X
9	Complete the K22 section: (a) choose the appropriate disposal restriction; (b) record CBSA transaction number; and (c) place CBSA officer stamp on all copies.		X
10	Distribute copies of the form as follows: (a) provide importer with province/territory(original) and importer copies. For legal size carbon copy formats, the white (provincial) and gold (importer). For printed e-form, the forms indicated with a watermark and bottom annotation as <b>province/territory</b> (considered the original) and <b>importer</b> ; (b) retain the CBSA copy (canary/yellow color or indicated as CBSA such on e-form); and (c) mail the RIV copy (pink, or indicated as <b>Registrar of imported vehicles</b> on e-form) to the RIV at the address below <b>within 24 hours of registration</b> . Registrar of Imported Vehicles 405 The West Mall, Suite 500 Toronto, ON M9C 5K7		X
11	Vehicles imported temporarily must be removed from Canada on the date specified on CBSA documentation.	X	

**Chart A-3: Procedures for Issuing a Replacement *Vehicle Import Form – Form 1* (all cases)**

Step	Action	I/B	CBSA
1	Report to the CBSA office.	X	
2	Advise the border services officer that your Form 1 was lost/stolen and you require a replacement.	X	
3	If the original Form 1 was completed at your port retrieve the form and transfer the information from the old Form 1 to the new Form 1. If not, contact the RIV, <b>1-800-575-0465</b> , and request a fax copy of the form. Once received, transfer the information from the old Form 1 to the new Form 1 as originally declared.		X
4	If the importer is changing the importation category from the original declaration, then the importer is <b>altering</b> his original declaration rather than seeking a replacement and border clearance must be re-assessed according to the new option declared. Proper documentation will be required to confirm		X

	admissibility with regards to the new declaration as per normal procedures as per this memorandum. <b>Note:</b> It is <b>very</b> important to ensure that an importer who is cancelling a prior RIV type entry is carefully re-assessed when requesting a new entry exempt from the RIV program.		
5	In cases where the VIN number must be changed on a form, the vehicle <b>must</b> be examined to confirm that the new VIN required on the form is in fact the VIN affixed to the vehicle.		X
6	For entries into the RIV, go to step 2 of Chart A-1 (RIV entry) and proceed to complete the Form 1 accordingly. <b>Note:</b> The importer is not required to pay the RIV fee again <b>if</b> they have already paid.		X
7	For entries not required to be registered in the RIV, go to step 2 of Chart A-1 (RIV-exempt entry) and proceed to complete the Form 1 accordingly.		X
8	Cross-reference the original Form 1 with the new replacement Form 1 by writing the form number of the original Form 1 on the top of the replacement Form 1, and vice versa.		X
9	Distribute copies of the Form 1 according to charts A-1 or A-2, whichever is the case.		X
10	If applicable, inform the importer of any new responsibilities that may apply according to the type of entry declared on the new replacement Form 1 (e.g., new RIV-entry or non-RIV entry).		X

### Chart B (1): Procedures for Issuing a *Vehicle Imported for Parts – Form 3 (US Certified Vehicles Only)*

Step	Action	I/B	CBSA
1	Report to the CBSA office.	X	
2	Verify that the vehicle qualifies for importation either as a vehicle from a country other than the US that is more than 15 years old (or a bus manufactured prior to January 1, 1971), or a vehicle that it is listed as either admissible or inadmissible on <a href="#">VIC list from US</a> .		X
3	If the vehicle is listed as <b>admissible</b> on the <a href="#">VIC list from US</a> , ensure that the CoT or Salvage Title is presented.		X
4	If the vehicle is listed as <b>inadmissible</b> on the <a href="#">VIC list from US</a> , ensure that a US state issued <b>Salvage Title</b> is presented. A clear CoT is not acceptable for an inadmissible vehicle.		X
5	Verify that commercial importations of vehicles declared for parts are being registered in the RIV Program at a <a href="#">designated CBSA office</a> .		X
6	Complete boxes 1 to 12 of the Form 3 and sign and date declaration in box 13.	X	
7	Verify that boxes 1 to 12 of the Form 3 are complete.		X
8	Verify and ensure that the importer or broker has signed the declaration in box 13.		X
9	Vehicles imported for parts on the Form 3 do not require inspection unless warranted by the border services officer.		X
10	Facilitate payment of RIV fee: (a) Credit card payments can be processed on-line by the border services officer or by the importer after importation using the following Web site: <a href="http://www.riv.ca">www.riv.ca</a> ; (b) Credit card payments can also be processed by calling the RIV at <b>1-800-575-0465</b> or <b>1-800-691-5911</b> (Quebec only) to obtain credit card authorization, and record authorization number in box 13; or (c) If payment will be made by cheque or in another form, provide a RIV payment envelope to the importer, ensure that the payment envelope option is chosen in box 17, and advise importer that the payment should be made payable to the RIV, to quote the Form 3 control number (top right hand corner), and mail inland.		X
11	Stamp the Form 3 (a) record the transaction number; (b) stamp the form in the “CBSA use only” section on all copies		X
12	Fax the Form 3 and a copy of the Title to the RIV at <b>1-888-346-8235</b> , within 24 hours of registration at the latest.		X
13	Distribute copies of the form as follows: (a) provide importer with province/territory(original) and importer copies. For standard carbon copy formats, the white (provincial) and gold (importer). For printed e-form, the forms indicated with a watermark and bottom annotation as <b>province/territory</b> (considered the original) and <b>importer</b> ; (b) retain the CBSA copy (canary/yellow or indicated as CBSA on e-form); and		X

	(c) mail the RIV copy (pink or indicated as <b>Registrar of imported vehicles</b> on e-form) to the RIV at the address below <b>within 24 hours of registration</b> . Registrar of Imported Vehicles 405 The West Mall, Suite 500 Toronto, ON M9C 5K7		
14	Process and release vehicle in accordance with regular CBSA processing.		X
15	If payment is to be forwarded by mail in a RIV payment envelope, mail payment. If payment is to be processed on-line after importation, process payment on-line.	X	

<b>References</b>	
<b>Issuing Office</b>	Commercial Programs Policy and Management Division Commercial Programs Directorate Programs Branch
<b>Headquarters File</b>	
<b>Legislative References</b>	<a href="#"><i>Customs Act</i></a> <a href="#"><i>Motor Vehicle Safety Act</i></a> <a href="#"><i>Motor Vehicle Safety Regulations</i></a> <a href="#"><i>Plant Protection Act</i></a>
<b>Other References</b>	<a href="#">D2-4-1</a> , <a href="#">D4-1-5</a> , <a href="#">D7-4-1</a> , <a href="#">D7-4-3</a> , <a href="#">D8-1-1</a> , <a href="#">D8-1-2</a> , <a href="#">D9-1-11</a> , <a href="#">D19-1-1</a> , <a href="#">D21-1-1</a>
<b>Superseded Memorandum D</b>	D19-12-1 dated July 18, 2014