U.S. Customs and Border Protection
Pipeline 002-2020-PHL
October 15, 2019

To: Freight Forwarders, Exporters, Terminal Operators, Carriers, and Others Concerned

SUBJECT: Procedures for Exporting Used Vehicles out of the Area Port of Philadelphia


This Pipeline is being redistributed to reinforce the guidance provided in Pipeline number 012-2018-PHL dated May 30, 2018.

This Pipeline is being generated to provide guidance on the CBP export requirements for shipping a self-propelled vehicle out of the Area Port of Philadelphia. These requirements are effective immediately and are written in accordance with the statutes cited in the Code of Federal Regulations (CFR) Chapter 19 Part 192 - Export Control and locally established CBP procedures presently in place within the Area Port.

The following are general definitions specific to this section of law (19CFR192.1)

1. Certified- Certified when used with reference to a copy means a document issued by a government authority that includes on it a signed statement by the authority that the copy is an authentic copy of the original.

2. Copy- Copy refers to a duplicate or photocopy of an original document. Where there is any writing on the backside of an original document, a complete copy means that both sides of the document are copied.

3. Self-propelled Vehicle- Self-propelled vehicle includes any automobile, truck, tractor, bus, motorcycle, motor home, self-propelled agricultural machinery, self-propelled construction equipment, self-propelled special use equipment, and any other self-propelled vehicle used or designed for running on land but not rail.

4. Title Record, Title Summary, Title Abstract, or similar name- The title record, title summary, etc., is a Department of Motor Vehicles (DMV) – generated computer printout of the vehicle’s title data that is then certified by the DMV with a seal and original signature of the certifying official.
5. **Ultimate Purchaser**—“Ultimate Purchaser” means the first person, other than a dealer purchasing in his capacity as a dealer, who in good faith purchases a self-propelled vehicle for purposes other than resale.

6. **Used**—“Used” refers to any self-propelled vehicle the equitable or legal title to which has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

7. **Export**—Export refers to the transportation of merchandise out of the U.S. for the purpose of being entered into the commerce of a foreign country.

8. **End user (15 CFR 772.1)**—The person abroad that receives and ultimately uses the exported or re-exported items. The end user is not a forwarding agent or intermediary, but may be the purchaser or ultimate consignee.

**Documentary Status**

It is the responsibility of the reviewing CBP Officer to ensure that an original certificate of title is presented as provided for in 19 CFR 192.2 (b). The certificate of title is the core requirement in the CBP export process, regardless of the vehicle's economic value, physical condition, or operating order.

**Structure of the Regulations**

Procedurally, all exporters or their agents who present a document to CBP are to begin at 19 CFR 192.2 (b) (1) and then progress through each subsection until the exporter arrives at the section and subsection(s) that apply to the vehicle that has been presented to CBP for export. This procedure ensures that no requirement is misinterpreted, misapplied, or circumvented by either the exporter or the reviewing CBP Officer.

**Section 192.2 Requirements for Exportation**

**Basic requirements**

A person attempting to export a used self-propelled vehicle shall present to CBP both the vehicle and the required documentation describing the vehicle to include the Vehicle Identification Number (VIN) or if the vehicle does not have a VIN, the product identification number (PIN). Exportation of a vehicle will be permitted only upon compliance with these requirements, unless the vehicle was entered into the United States under an in-bond procedure, a carnar, a Temporary Importation Bond, or under a personal exemption for non-residents who entered the vehicle for a 1-year period.

**DOCUMENTATION REQUIRED**

1. **For U.S. titles vehicles.**

   (a) **Vehicles issued an original certificate of title.** For used, self-propelled vehicles issued, by any jurisdiction in the United States, a Certificate of Title or a Salvage Title that remains in force, the owner must provide to CBP, at the time and place specified below, the original Certificate of Title or a certified copy of the Certificate of Title and two complete copies of the original Certificate of Title or certified copy of the original.
Note: See definition of Certified Copy. A notarized copy of these required documents will not be accepted.

(b) Where title evidences third-party ownership/claims. If the used, self-propelled vehicle is leased or a recorded lien exists in the U.S., in addition to complying with paragraph (a) above, the provisional owner must provide to CBP an approval letter writing from the third-party-in-interest, which expressly provides that the subject vehicle may be exported. This writing must be on the third party’s letterhead paper, and contain a complete description of the vehicle including the VIN, the name of the owner or lien holder, and the telephone numbers at which that owner or lien holder may be contacted. The writing must bear an original signature of the third party and state the date it was signed.

If the vehicle has a recorded lien and the lien holder issues a letter authorizing the vehicle to be exported but will not release the original certificate of title, the exporter may satisfy the requirements of 19CFR192 by securing a certified copy of the title or copy of the title record. Certified copies of the certificate of title that have been obtained by the lien holder from the state DMV on behalf of the exporter are acceptable for presentation to CBP. A certified or notarized copy issued by the lien holder is NOT acceptable. The copy of the title record must be presented to CBP together with the letter of authorization from the lien holder.

(c) Certified Copy and Copy of the Title Record. Several states will not issue a certified copy of the certificate of title under certain circumstances. In some states, the certified copy becomes the negotiable instrument if an original title has been lost, destroyed, damaged, or has become illegible. These states will not issue a certified copy if the original is still available. Similarly, if a recorded lien exists and the original title is held by the lien holder, a state DMV will not issue a certified copy.

In these situations, CBP will accept another document (known as a copy of the title record, title record, title summary, title abstract, or similar name) to meet the ownership document requirements of 19 CFR 192.2 (b)(1). The copy of the title record is a DMV generated computer printout of the vehicle’s title data that is then certified by the DMV with a seal and original signature of the certifying official. Only documents issued by the state DMV – the same government authority that issued the original certificate of title – will be accepted by CBP. This document must be certified. Application for title will not be accepted as evidence of ownership.

(d) Where U.S. Government employees are involved. If the used, self-propelled vehicle is owned by a U.S. Government employee and is being exported in conjunction with that employee’s reassignment abroad pursuant to official travel orders, then, in lieu of complying with paragraph (a) above, the employee may be required to establish that he has complied with the sponsoring agency’s internal travel department procedures for vehicle export.
U.S. Government employees traveling on official orders must still notify CBP if exporting a vehicle. To ensure proper notification, the following procedures have been developed for primary and secondary vehicles exported in accordance with 19CFR192.2.

The primary vehicle is the automobile that will be moved at government expense in conjunction with official U.S. Government travel orders. CBP requires copies of the following documents for the vehicle: (1) the official travel orders and if the vehicle is leased or has a recorded lien, the exporter must comply with the lease or lien holder requirements of Section C. 1(b) as outlined above. Secondary vehicles are additional, privately owned vehicles that are exported at the government employee’s personal arrangement, expense and liability. If these privately owned vehicles are listed with the primary vehicle on the employee’s official U.S. Government travel orders, the requirements and procedures to export them will be the same as for the primary vehicle.

If the secondary vehicles are not listed with the primary vehicle on the travel orders, their export is considered to be an independent shipment. The secondary vehicles are then reportable to CBP and all requirements of 19CFR192 apply and must be satisfied.

2. For foreign-titled vehicles

For used, self-propelled vehicles that are registered or title abroad, the owner must provide to CBP, at the time and place specified below, the original document that provides satisfactory proof of ownership (with an English translation of the text if the original language is not in English), and two complete copies of that document (and translation, if necessary).

3. For untitled vehicles

(a) Newly manufactured vehicles issued an MSO. For newly manufactured, self-propelled vehicles that are purchased from a U.S. manufacturer, distributor, or dealer that become used, as defined in Section A.6. above, and are issued a Manufacturer’s Statement of Origin (MSO), but not issued a Certificate of Title by any jurisdiction of the United States, the owner must provide to CBP, at the time and place specified below, the original MSO and two complete copies of the original MSO.

(b) Newly manufactured vehicles not issued an MSO. For newly, manufactured, self-propelled vehicles purchased from a U.S. manufacturer, distributor, or dealer that become used, as defined in this Section A.6. above, and not issued an MSO or a Certificate of Title by any jurisdiction of the United States, the owner must establish that the jurisdiction from where the vehicle comes does not have any ownership documentation requirements regarding such vehicles and provide to CBP at the time and place specified below, an original document that proves ownership such as a dealer’s invoice and two complete copies of such original documentation.

(c) Vehicles issued a junk or scrap certificate. For used, self-propelled vehicles for
which a junk or scrap certificate issued, by any jurisdiction of the United States, remains in force, the owner must provide to CBP, at the time and place specified below, the original certificate or a certified copy of the original document and two complete copies of the original document or certified copy.

(d) **Vehicles issued a title or certificate that is not in force or are otherwise not registered.** For used, self-propelled vehicles that were issued, by any jurisdiction of the United States, a title or certificate that is no longer in force, or that are not required to be titled or registered, and for which an MSO was not issued, the owner must establish that the jurisdiction from where the vehicle comes does not have any ownership documentation requirements regarding such vehicles and provide to CBP, at the time and place specified below, the original document that shows the basis for ownership or right of possession, such as a bill of sale, and two complete copies of that original document. Further, the owner must certify in writing to CBP that the procurement of the vehicle was a bona fide transaction, and that the vehicle presented for export is not stolen.

**WHEN PRESENTED**

Exportation by vessel or aircraft - For those vehicles exported by vessel or aircraft, the required documentation and the vehicle must be presented to Customs and Border Protection at least 72 hours prior to export. The purpose of requiring the documentation at least 72 hours before export of the vehicle is so that CBP can crosscheck the VIN with information entered into the NCIC on stolen vehicles. The purpose of requiring the vehicle to be in the carrier’s possession at least 72 hours before export is to allow CBP officers the time necessary to examine the vehicle. The minimum statutory 72-hour requirement does not include weekends and Federal Holidays. It is suggested that the documentation be presented at least 72 hours prior to the start of any holiday weekend, to ensure the documents are processed timely and the vehicle export is not delayed. **Plan appropriately for Federal Holidays. There are no exceptions to the 72-hour requirement regardless of circumstance.**

**WHERE PRESENTED**

The Area Port Director and Port Directors have established locations where exporters must present the required documentation and the vehicles for inspection. Port Director’s designated locations, including their hours of operation are listed at the end of this document.

**VEHICLE PRESENTATION**

Per CFR, the vehicles must be presented to Customs and Border Protection for inspection at least 72- hours in advance. Due to the logistics of the Area Port of Philadelphia, presentation of the vehicles for inspection at a single site or several sites within the port is not practical. In light of this, the vehicle(s) will be presented at least 72 hours in advance to the terminal from where export will occur.

In order for CBP to efficiently carry out its VIN inspection responsibility and verify compliance with the 72-hour requirement, the exporter or agent must obtain a document that acknowledges delivery of the vehicle to the terminal of export and contains information that identifies the vehicle. This document will be in the form of a signed dock receipt in a seaport environment or a
signed Master/House air waybill. The dock receipt, Master/House air waybill must be signed by a carrier representative.

In all cases, the title documentation must be submitted to CBP and the vehicle in the carrier’s possession at least 72 hours prior to export. The dock receipt, Master/House air waybill must cite the VIN

DOCUMENT PRESENTATION FOR PROCESSING

1. The original title document, or other document permitted by CFR, and two complete copies of that original document are required for presentation.

(a) Locations.

Vehicle documentation as outlined in Section C above, along with two copies of the dock receipt, Master/House air waybill may be presented by the exporter or the exporter’s agent for processing at the locations and hours below.

**Port of Philadelphia (Customs House)**
U.S. Customs and Border Protection
Philadelphia ATU - Export Desk
Room 102
200 Chestnut Street
Philadelphia PA 19106
(215) 717-5950 or (215) 717-5951
Monday- Friday 8:00am – 4:00pm

**Port of Wilmington**
U.S. Customs and Border Protection
908 New Churchman’s Road Extension
Suite C
New Castle, DE 19720
(302) 326-0600
Monday- Friday 8:00am – 4:00pm

**Port of Pittsburgh:**
U.S. Customs and Border Protection
1000 Airport Boulevard
Pittsburgh International Airport
Pittsburgh PA 15231
(412) 472-0804 ext. 1
Sunday - Saturday 9:00am – 9:00pm

Please keep in mind that the 72-hour period excludes weekends and holidays.

(b) Authentication of documentation.

CBP will determine the authenticity of the documents submitted. The vehicle information will be queried through various databases to verify possible stolen vehicles or vehicles with third party liens in place. Once the authenticity of the documents is established and
the database checks are clear, CBP will mark the documents. In most cases, the original document(s) will be returned to the exporter.

DEPARTMENT OF COMMERCE REGULATIONS, AUTOMATED EXPORT (AES FILERS AND THE 72-HOUR REQUIREMENT

The used vehicle exportation requirements provided for in the 19 C.F.R. 192 are separate and distinct from the Department of Commerce requirements for export commodity data. Commerce Regulations require the filing of a Shipper’s Export Declaration (SED) for vehicles valued at more than $2,500. If a party other than the exporter prepares the SED, a power of attorney must be initiated.

The requirements of 19 CFR 192 cannot be satisfied through the Automated Export System (AES) filing of the commodity data contained in the Shipper’s Export Declaration. Because Customs and Border Protection and Department of Commerce regulations are different, the 72-hour clock does not begin when export vehicle data is filed via AES; it begins when the required documentation is presented to CBP.

LIABILITY OF CARRIERS

Per 19 CFR 192.4 and under the provisions of 19 U.S.C. 1436, the vessel master is charged with the responsibility of presenting a true manifest. If used vehicles are not included on the manifest or are inaccurately described thereon, a liability for penalties may be incurred.

The exporter or their authorized agent is required to obtain a signed dock receipt, Master/House air waybill for presentation to CBP. This document is required to have a Carrier representative signature as evidence of receipt of cargo at the terminal. The only exception to this requirement is when the exporter or their authorized agent provides CBP with a gate receipt, or copy thereof, which will serve as evidence of the cargo being present at the terminal of export. This exception only applies to containerized cargo.

Additionally, in accordance with 19 CFR 192.14, the carrier may not load any cargo without first receiving from the exporter or its authorized agent either the related electronic filing citation (proof of AES acceptance), or an appropriate exemption statement for the cargo as specified in 15 CFR 30.50 – 30.58. Once the carrier has signed the dock receipt, Master/House air waybill and has received proof of AES acceptance, the vehicle(s) are clear to be loaded.

Thank you,

[Signature]

Joseph V. Martella
Area Port Director
Area Port of Philadelphia