



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



June 30, 2021

VIA EMAIL

Mr. D. Michael Hockett
Chief Executive Officer
Diversified Vehicle Services, Inc.
1919 S. Post Road, Suite B
Indianapolis, IN 46239
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NEF-230

**Re: Diversified Vehicle Services, Inc.
Registered Importer No. 98-165
NHTSA File No. ICD-2021-001**

**Notice of Automatic Suspension of the Registered Importer Registration of
Diversified Vehicle Services, Inc.**

Dear Mr. Hockett:

We are writing to provide Diversified Vehicle Services, Inc. (DVS) with written notice that the National Highway Traffic Safety Administration (NHTSA or the agency) has determined that DVS knowingly submitted false or misleading certifications of conformance regarding nonconforming vehicles it imported from Canada and Mexico. The agency has further determined that, as an appropriate consequence for these false and misleading certifications of conformance, DVS's registered importer (RI) registration should be automatically suspended. *See* 49 U.S.C. § 30141(c)(4)(B); 49 C.F.R. § 592.7(a)(2). **As of the date of this notice, the RI registration of DVS is automatically suspended for a period of 365 days, unless NHTSA subsequently decides it is appropriate to reinstate the registration at an earlier date.** *See* 49 C.F.R. § 592.7(c)(2). The facts and conduct upon which this decision is based are set forth below.

DVS is entitled to seek reconsideration of this decision by presenting data, views, and arguments in writing and/or in person (via teleconference or videoconference), within 30 days from the date of this notice. 49 C.F.R. § 592.7(b)(7). Any such written presentation must be submitted by DVS and any such meeting must take place no later than **July 30, 2021**. Instructions for requesting an in person (via teleconference or videoconference) meeting are set forth below.

If DVS requests reconsideration of this decision, NHTSA will notify DVS of its decision no later than 30 days after DVS submits any data, views, and arguments in support of its request for reconsideration. *Id.* If DVS does not request reconsideration or does not present any data, views, or arguments in support of any such request, the automatic suspension will remain in effect for the full 365 days.

Please take note that the agency has separately sent DVS a Notice to Show Cause Why the Registration of Diversified Vehicle Services, Inc. Should Not Be Revoked, dated June 30, 2021.

Effect of DVS's Automatic Suspension

DVS's RI registration is automatically suspended as of the date of this notice. During the term of this automatic suspension, DVS is not considered a RI, does "not have the rights and authorities" of a RI, and "must cease importing, and will not be allowed to import, vehicles for resale." 49 C.F.R. § 592.7(d)(1). As required by the regulations, NHTSA will notify U.S. Customs and Border Protection (CBP) of this automatic suspension not later than the first business day after the date of this notice. *Id.*

Within thirty (30) days of the date of this notice and with respect to each imported, nonconforming vehicle currently in its possession, DVS must either 1) conform the vehicle, affix to it a certification label, and submit a certification of conformance to NHTSA (all within 120 days of the vehicle's entry into the United States) or 2) export the vehicles. 49 C.F.R. § 592.7(d)(2)-(3). Separately, with respect to any vehicle imported pursuant to 49 C.F.R. § 591.5(f)(2)(ii) that DVS has agreed to bring into compliance with all applicable standards and for which it has not furnished a certification of conformance to NHTSA, DVS must immediately notify the owner of the vehicle in writing that its registration has been suspended. *Id.* § 592.7(d)(4).

DVS remains obligated under 49 C.F.R. § 592.6(i) to notify owners and to remedy noncompliances or safety related defects for each vehicle for which it has furnished a certification of conformance to NHTSA. *Id.* § 592.7(e).

NHTSA's Investigation of DVS

NHTSA has reviewed documents submitted by DVS to NHTSA and the U.S. Customs and Border Protection (CBP). NHTSA has also reviewed DVS's response to NHTSA's March 26, 2021 Information Request letter (IR Response). Based on this review, NHTSA has determined that DVS knowingly submitted false and misleading certifications (as described below) and that an automatic suspension of the RI registration of DVS is an appropriate sanction under the circumstances.

The Registered Importer Program

Under the National Traffic and Motor Vehicle Safety Act, as amended (Safety Act), 49 U.S.C. Chapter 301, vehicles that the fabricating manufacturers have not certified as complying with all applicable Federal Motor Vehicle Safety Standards (FMVSS) may not be imported into the United States. There are limited exceptions to this prohibition. One of these exceptions is that a nonconforming vehicle may be imported under the registered importer (RI) program. Under this program, a vehicle may be imported if the agency has determined that the particular make, model, and model year of the vehicle is capable of being modified to comply with all applicable

FMVSS. This is referred to as import eligibility. *See* 49 U.S.C. § 30141(a); 49 C.F.R. §§ 591.5(f), 593.8(a).

The importer of a motor vehicle must make specific declarations regarding the status of the vehicle that allow CBP to determine whether a vehicle is eligible for import. If the vehicle conforms with and is properly certified as conforming with all applicable FMVSS, the importer must declare that the vehicle conforms and is properly certified as conforming. 49 C.F.R. § 591.5(b). This declaration is typically made on the DOT HS-7 form by checking Box 2A, and the entry of the vehicle under this declaration is commonly referred to as a Box 2A entry.¹ If the vehicle is nonconforming and being imported through the RI program because NHTSA has determined that the vehicle is capable of being conformed, the importer must so declare and further declare that it is a RI or that it has a contract with a RI to conform the vehicle and that it has posted a bond to ensure conformity. 49 C.F.R. § 591.5(f). This declaration is typically made on the DOT HS-7 form by checking Box 3, and the entry of the vehicle is commonly referred to as a Box 3 entry.

If an import-eligible vehicle enters the United States through the RI program (under Box 3 on the DOT HS-7), the RI must furnish a DOT conformance bond for the vehicle. *See* 49 U.S.C. § 30141(d); 49 C.F.R. §§ 591.5(f)(1), 591.6(c), 591.8, 592.6(a). The RI must also, after the vehicle enters the United States, modify the nonconforming vehicle to comply with all applicable FMVSS. *See* 49 U.S.C. § 30146(a); 49 C.F.R. § 592.6(c). Conformance modifications may only be performed by a Registered Importer, and a RI is not permitted to delegate, contract with others, or have non-employee agents perform conformance modifications. *See* 49 U.S.C. § 30146(a); 49 C.F.R. § 592.6(c), (d)(1). Consistent with this requirement, all applicants to become a RI are required to demonstrate their own technical competence to perform these modifications and obtain any licenses necessary under State or local law. *See* 49 U.S.C. § 30141(c)(1)(C); 49 C.F.R. § 592.5(a)(5)(iii) & (a)(9)(i).

Following completion of all conformance modifications and recall repairs, the RI must permanently attach to the vehicle a certification label that identifies the RI, certifies that the vehicle complies with all applicable FMVSS, and otherwise complies with 49 C.F.R. § 567.4. *See* 49 U.S.C. § 30146(a)(3); 49 C.F.R. § 592.6(c). The RI must also submit, within 120 days after importing the vehicle, a “conformity package” to the agency that includes a certification of conformance, certifying that the vehicle has been modified to comply with all applicable FMVSS and that the vehicle is not subject to any safety recalls or that all noncompliances or defects that are the subject of safety recalls have been remedied. *See* 49 C.F.R. § 592.6(d)(1), (5). The regulations set forth specific requirements for the conformity package, including that the certification of conformance must be signed by a principal of the RI and must also include “verbatim” one of two specific certifications regarding the way in which performance of the conformance modifications were verified. *See* 49 C.F.R. § 592.6(d)(1)-(7).

This summary of the RI program is not intended to provide a complete statement of the statutes and regulations applicable to a RI or the legal requirements of the Registered Importer program.

¹ The DOT HS-7 form is available at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/hs7_rv9-tag.pdf.

Registered Importer's Understanding of Its Regulatory Duties

To ensure that a RI understands its legal duties and the importance of compliance with those duties, each applicant to be a RI must certify as follows:

I certify that I have read and understood the duties of a Registered Importer, as set forth in 49 CFR 592.6, and that [name of applicant] will comply with each such duty

49 C.F.R. § 592.5(a)(11). To maintain its registration, a RI must file an annual statement that includes the following certification of continued compliance:

I certify that I have read and understand the duties of a Registered Importer, as set forth in 49 CFR 592.6, and that [name of Registered Importer] continues to comply with the requirements for being a Registered Importer.

49 C.F.R. § 592.5(f)(2)(i).

Consistent with these requirements, DVS has annually certified that it is familiar with and understands the duties of a Registered Importer.

Registered Importer Suspensions and Revocations

The regulations also specify the basis and process for suspensions or revocation of the registration of a Registered Importer. *See* 49 U.S.C. § 30141(c)(4); 49 C.F.R. § 592.7. NHTSA may impose an “automatic suspension” under the circumstances and process set forth in Section 592.7(a) and a “non-automatic suspension or revocation” under the circumstances and process set forth in Section 592.7(b).

NHTSA is authorized to automatically suspend the registration of a RI if, among other things, it decides that the RI “has knowingly filed a false or misleading certification.” 49 C.F.R. § 592.7(a)(2). If the agency makes such a decision, it must “promptly notify the RI in writing that its registration is automatically suspended” and inform the RI “of the facts and conduct upon which the decision is based, and the period of suspension.” *Id.* The suspension “begins as of the date indicated in [NHTSA’s] written notification.” *Id.* The written notification must provide the RI with “an opportunity to seek reconsideration of the decision by presenting data, views, and arguments in writing and/or in person, within 30 days.” *Id.* NHTSA must then notify the RI in writing of its decision on the RI’s request for reconsideration not later than 30 days after the RI submits data, views, and arguments in support of the request.” *Id.* When a registration has been automatically suspended based on NHTSA’s finding that the RI knowingly filed a false or misleading certification, the RI’s “registration will be reinstated after the expiration of the period of suspension specified by the [agency], or such earlier date as the [agency] may subsequently decide is appropriate.” *Id.* § 592.7(c)(2).

DVS's Opportunity to Seek Reconsideration

The agency is automatically suspending the registration of DVS for three hundred and sixty-five (365) days. NHTSA believes that automatic suspension is an appropriate sanction, based on the facts, circumstances, conduct, and violations set forth in this notice. If DVS seeks reconsideration of this decision, it should respond in writing and/or in person (via teleconference or videoconference) within 30 days, by July 30, 2021, and present any data, views, and arguments in support of its request for reconsideration.

If DVS requests a meeting to present data, views, and arguments in person (via teleconference or videoconference), it should contact Jeff Eyres in NHTSA's Office of Chief Counsel at 202.913.4307 or jeffrey.eyres@dot.gov to propose dates and times for such a meeting. Any such teleconference or videoconference meeting will take place with representatives of NHTSA's Office of Enforcement and Office of Chief Counsel. The purpose of any in-person meeting requested by DVS is for DVS to present data, views, and arguments in support of its request for reconsideration. *See* 49 C.F.R. § 592.7(a)(2). It is not a formal adjudication hearing or proceeding subject to 5 U.S.C. §§ 556-557 and does not otherwise confer rights on DVS to question NHTSA employees or compel the attendance of witnesses or the production of documents.

Following receipt and review of any data, views, and arguments timely submitted in writing or in person (via teleconference or videoconference), NHTSA will decide, based on the available information, whether the automatic suspension will remain in place or be modified or whether DVS's RI registration will be reinstated. *See* 49 C.F.R. § 592.7(a)(2), (c)(2). NHTSA will inform DVS of its decision in writing. *Id.* Judicial review of a final agency action is available in a United States District Court. *See* 5 U.S.C. § 704.

Additional Information

This action is the automatic suspension of the registration of DVS. A RI that violates the statutes and regulations applicable to the RI program may also be subject to additional civil or criminal legal action, as appropriate. *See, e.g.,* 49 U.S.C. §§ 30163, 30165, 30170.

A RI that violates the regulations applicable to the RI program may also be required to forfeit the conformance bond it furnished at the time it imported a nonconforming vehicle. *See* 49 C.F.R. §§ 591.8(e); 592.9.

Each of the violations set forth below is incorporated by reference in NHTSA's June 30, 2020 Notice to Show Cause Why the Registration of Diversified Vehicles, Inc. Should Not Be Revoked.

NHTSA's statement regarding regulatory enforcement fairness for small businesses and its policy against retaliation for expressing concern about enforcement action is available on its website. *See* <https://www.nhtsa.gov/laws-regulations/rights-small-entities-enforcement-fairness-and-policy-against-retaliation>.

DVS's Knowing Submission of False or Misleading Certifications of Conformance

1. DVS knowingly submitted false certifications of conformance to NHTSA stating that DVS had taken possession of imported vehicles in the United States, modified those vehicles into conformity, and then affixed certification labels on the vehicles, in violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1). DVS knew these certifications were false because they were made and signed before the vehicles had been released for entry into the United States.

A RI may not release an imported, nonconforming vehicle unless it first submits to NHTSA a certification of conformance for that vehicle, in the manner prescribed by NHTSA. 49 U.S.C. § 30146(a)(1). NHTSA's regulations include specific requirements for both the process and the substance of the RI's certification of conformance. See 49 C.F.R. § 592.6.

The regulations provide that, prior to submitting a certification of conformance, a RI must:

[t]ake possession of the vehicle and perform all modifications necessary to conform the vehicle to all Federal motor vehicle safety and bumper standards that apply to the vehicle at a facility that it has identified to [NHTSA].”

49 C.F.R. § 592.6(c). The RI must also:

permanently affix to the vehicle at that facility, upon completion of conformance modifications and remedy of all noncompliances and defects that are the subject of any pending safety recalls, a label that identifies the Registered Importer and states that the Registered Importer certifies that the vehicle complies with all Federal motor vehicle safety and bumper standards that apply to the vehicle.

Id. The RI must therefore perform all conformance modifications and affix the required certification label at an approved facility in the United States after the vehicle is imported.

The registered importer must also, with respect to each such vehicle, certify to NHTSA:

[w]ithin 120 days of the importation that it has brought the motor vehicle into conformity with all applicable Federal motor vehicle safety and bumper standards in effect at the time the vehicle was manufactured by the fabricating manufacturer.

49 C.F.R. § 592.6(d)(1). This certification must “state verbatim” one of two alternative statements confirming the basis for certification. *Id.*

Based on information obtained by the agency through its investigation, NHTSA has good cause to conclude that DVS has knowingly violated these regulatory requirements as follows (26 vehicles):

In the certification of conformance DVS submitted to NHTSA for each of the vehicles listed below, DVS certified that it had, as of the date of that certification, modified the

vehicle into conformance with all applicable FMVSS and had affixed a certification label on the vehicle. Specifically, the DVS principal who signed the certification of conformance for each vehicle certified that:

I know that the vehicle I am certifying conforms with all applicable Federal motor vehicle safety and bumper standards because the person who performed the necessary modifications to the vehicle is an employee of the above named RI and has provided full documentation of the work that I have reviewed, and I am satisfied that the vehicle as modified complies.

The DVS principal also certified that DVS had affixed a certification label to the vehicle that was compliant with 49 C.F.R. Part 567. These certifications were false. DVS had not modified the vehicle into conformance or affixed a certification label when it made its certification of conformance to NHTSA for each of these vehicles.

The “Entry and PGA data” maintained by CBP for each of these vehicles includes the date on which the vehicle was first released for entry into the United States. In its IR Response, DVS stated what it contends is the actual date of entry into the United States and the actual date it affixed a certification label on each of these vehicles (or provided the response “HOLD” indicating that no label was ever affixed to the vehicle). DVS’s certification of conformance for each of these vehicles was necessarily false because, on the date DVS signed the certification, the vehicle had not yet been released for entry, had not yet actually entered the United States, and DVS had not yet affixed a certification label to the vehicle. Each of the false certifications of conformance DVS submitted to NHTSA stating that it had conformed the vehicle and affixed a certification label to the vehicle constitutes a violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1).² DVS’s failure to modify each of the vehicles into conformance and affix a certification label to each of the vehicles prior to submitting a certification of conformance also constitutes a violation of 49 C.F.R. § 592.6(c).

DVS certifies on an annual basis that it is familiar with and complies with regulations applicable to RIs. *See* 49 C.F.R. § 592.5(f)(2)(i). DVS knew, therefore, that it was required to take possession of each of the vehicles, perform all necessary conformance modifications, and affix a certification label at one of its designated facilities in the United States prior to submitting a certification of conformance. *Id.* § 592.6(c)-(d). DVS, as the importer of record for each of these vehicles, knew when the vehicle entered the United States and when DVS took possession of it. DVS, as the RI, knows when it modifies a vehicle into conformance and when it affixes a certification label on the vehicle. Nonetheless, DVS signed a certification of conformance for each of these vehicles before the vehicle entered the United States stating that it had, as of the date of the certification, completed each of these regulatory requirements. “The certification

² Although NHTSA references the dates provided by DVS in its IR Response because they confirm the violations, the agency notes that DVS failed to provide, in response to a direct request in the IR, any documentation supporting these dates. DVS also failed to provide, in response to a direct request in the IR, any documents reflecting that it ever took custody of any of these vehicles or that it was DVS that affixed the certification labels on these vehicles.

must be signed and submitted by a principal of the Registered Importer . . . with an original hand-written signature and not with a signature that is stamped or mechanically applied.” *Id.* § 592.6(d)(3). DVS knew at the time it made these certifications that they were false, and NHTSA therefore concludes that DVS knowingly made these false and misleading certifications.

Vehicle B - 2016 Ford F-150, VIN 1FTEW1EG2GFB13486.

Date CBP released vehicle for entry into United States: May 27, 2020.
Date vehicle entered United States (DVS IR Response): May 27, 2020.
Date DVS affixed certification label (DVS IR Response): May 28, 2020.
Date of DVS Certification of Conformance: May 26, 2020.

Documents relating to Vehicle B, including those referenced above in the description of this violation, are included in Exhibit B and Exhibit CJ.

Vehicle C - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ9FG220856.

Date CBP released vehicle for entry into United States: March 6, 2020.
Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS affixed certification label (DVS IR Response): “HOLD.”
Date of DVS Certification of Conformance: March 5, 2020.

Documents relating to Vehicle C, including those referenced above in the description of this violation, are included in Exhibit C and Exhibit CJ.

Vehicle D - 2015 Chevrolet Cheyenne, VIN 3GCNK9ECXFG189462.

Date CBP released vehicle for entry into United States: March 6, 2020.
Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS affixed certification label (DVS IR Response): “HOLD.”
Date of DVS Certification of Conformance: March 5, 2020.

Documents relating to Vehicle D, including those referenced above in the description of this violation, are contained in Exhibit D and Exhibit CJ.

Vehicle E - 2015 Chevrolet Silverado LD Reg, VIN 3GCNK9ECXFG190577.

Date CBP released vehicle for entry into United States: March 6, 2020.
Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS affixed certification label (DVS IR Response): “HOLD.”
Date of DVS Certification of Conformance: March 5, 2020.

Documents relating to Vehicle E, including those referenced above in the description of this violation, are contained in Exhibit E and Exhibit CJ.

Vehicle G - 2014 RAM 1500 Sport Crew Cab, VIN 1C6RR7MT0ES324983.

Date CBP released vehicle for entry into United States: February 13, 2020.
Date vehicle entered United States (DVS IR Response): February 13, 2020.
Date DVS affixed certification label (DVS IR Response): February 13, 2020.
Date of DVS Certification of Conformance: February 12, 2020.

Documents relating to Vehicle G, including those referenced above in the description of this violation, are contained in Exhibit G and Exhibit CJ.

Vehicle H - 2017 Ford Escape, VIN 1FMCU9G96HUA42702.

Date CBP released vehicle for entry into United States: February 15, 2020.
Date vehicle entered United States (DVS IR Response): February 15, 2020.
Date DVS affixed certification label (DVS IR Response): February 15, 2020.
Date of DVS Certification of Conformance: February 12, 2020.

Documents relating to Vehicle H, including those referenced above in the description of this violation, are contained in Exhibit H and Exhibit CJ.

Vehicle I - 2019 Chevrolet Impala, VIN 2G11Z5S38K9141897.

Date CBP released vehicle for entry into United States: February 14, 2020.
Date vehicle entered United States (DVS IR Response): February 14, 2020.
Date DVS affixed certification label (DVS IR Response): February 14, 2020.
Date of DVS Certification of Conformance: February 13, 2020.

Documents relating to Vehicle I, including those referenced above in the description of this violation, are contained in Exhibit I and Exhibit CJ.

Vehicle J - 2019 Chevrolet Impala, VIN 2G11Z5S39K9146378.

Date CBP released vehicle for entry into United States: February 14, 2020.
Date vehicle entered United States (DVS IR Response): February 14, 2020.
Date DVS affixed certification label (DVS IR Response): February 14, 2020.
Date of DVS Certification of Conformance: February 13, 2020.

Documents relating to Vehicle J, including those referenced above in the description of this violation, are contained in Exhibit J and Exhibit CJ.

Vehicle L - 2019 Chevrolet Equinox D2, VIN 2GNAXVEX0K6283486.

Date CBP released vehicle for entry into United States: January 29, 2020.
Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS affixed certification label (DVS IR Response): January 29, 2020.
Date of DVS Certification of Conformance: January 28, 2020.

Documents relating to Vehicle L, including those referenced above in the description of this violation, are contained in Exhibit L and Exhibit CJ.

Vehicle M - 2019 Chevrolet Equinox D2, VIN 2GNAXVEX6K6280270.

Date CBP released vehicle for entry into United States: January 29, 2020.
Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS affixed certification label (DVS IR Response): January 30, 2020.
Date of DVS Certification of Conformance: January 28, 2020.

Documents relating to Vehicle M, including those referenced above in the description of this violation, are contained in Exhibit M and Exhibit CJ.

Vehicle N - 2016 Lincoln MKX, VIN 2LMPJ8LP8GBL33753.

Date CBP released vehicle for entry into United States: January 17, 2020.
Date vehicle entered United States (DVS IR Response): January 17, 2020.
Date DVS affixed certification label (DVS IR Response): January 20, 2020.
Date of DVS Certification of Conformance: January 16, 2020.

Documents relating to Vehicle N, including those referenced above in the description of this violation, are contained in Exhibit N and Exhibit CJ.

Vehicle O - 2018 GMC Sierra LD Crew, VIN 3GTU2MEC4JG448213.

Date CBP released vehicle for entry into United States: January 20, 2020.
Date vehicle entered United States (DVS IR Response): January 20, 2020.
Date DVS affixed certification label (DVS IR Response): January 21, 2020.
Date of DVS Certification of Conformance: January 17, 2020.

Documents relating to Vehicle O, including those referenced above in the description of this violation, are contained in Exhibit O and Exhibit CJ.

Vehicle P - 2015 Cadillac SRX, VIN 3GYFNEE35FS599615.

Date CBP released vehicle for entry into United States: January 30, 2020.
Date vehicle entered United States (DVS IR Response): January 30, 2020.
Date DVS affixed certification label (DVS IR Response): February 4, 2020.
Date of DVS Certification of Conformance: January 29, 2020.

Documents relating to Vehicle P, including those referenced above in the description of this violation, are contained in Exhibit P and Exhibit CJ.

Vehicle Q - 2016 Lincoln MKC, VIN 5LMCJ2D9XGUJ00116.

Date CBP released vehicle for entry into United States: January 22, 2020.
Date vehicle entered United States (DVS IR Response): January 22, 2020.
Date DVS affixed certification label (DVS IR Response): January 22, 2020.
Date of DVS Certification of Conformance: January 21, 2020.

Documents relating to Vehicle Q, including those referenced above in the description of this violation, are contained in Exhibit Q and Exhibit CJ.

Vehicle R - 2015 Ford Focus, VIN 1FADP3F20FL257681.

Date CBP released vehicle for entry into United States: January 31, 2020.
Date vehicle entered United States (DVS IR Response): January 31, 2020.
Date DVS affixed certification label (DVS IR Response): February 4, 2020.
Date of DVS Certification of Conformance: January 30, 2020.

Documents relating to Vehicle R, including those referenced above in the description of this violation, are contained in Exhibit R and Exhibit CJ.

Vehicle S - 2015 Ford Escape, VIN 1FMCU9GX0FUC69900.

Date CBP released vehicle for entry into United States: January 20, 2020.
Date vehicle entered United States (DVS IR Response): January 20, 2020.
Date DVS affixed certification label (DVS IR Response): January 21, 2020.
Date of DVS Certification of Conformance: January 17, 2020.

Documents relating to Vehicle S, including those referenced above in the description of this violation, are contained in Exhibit S and Exhibit CJ.

Vehicle V - 2015 Chevrolet Cruze, VIN 1G1PE5SB4F7249308.

Date CBP released vehicle for entry into United States: January 17, 2020.
Date vehicle entered United States (DVS IR Response): January 17, 2020.
Date DVS affixed certification label (DVS IR Response): January 20, 2020.
Date of DVS Certification of Conformance: January 16, 2020.

Documents relating to Vehicle V, including those referenced above in the description of this violation, are included in Exhibit V and Exhibit CJ.

Vehicle X - 2017 GM Acadia C1, VIN 1GKKNRLA8HZ137945.

Date CBP released vehicle for entry into United States: January 24, 2020.
Date vehicle entered United States (DVS IR Response): January 24, 2020.
Date DVS affixed certification label (DVS IR Response): January 27, 2020.
Date of DVS Certification of Conformance: January 23, 2020.

Documents relating to Vehicle X, including those referenced above in the description of this violation, are contained in Exhibit X and Exhibit CJ.

Vehicle Y - 2017 Lincoln Continental, VIN 1LN6L9NC3H5610977.

Date CBP released vehicle for entry into United States: February 3, 2020.
Date vehicle entered United States (DVS IR Response): February 3, 2020.
Date DVS affixed certification label (DVS IR Response): February 6, 2020.
Date of DVS Certification of Conformance: January 30, 2020.

Documents relating to Vehicle Y, including those referenced above in the description of this violation, are contained in Exhibit Y and Exhibit CJ.

Vehicle AC - 2017 Ford Escape, VIN 1FMCU0G97HUC82692.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 20, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AC, including those referenced above in the description of this violation, are contained in Exhibit AC and Exhibit CJ.

Vehicle AD - 2017 Ford F-150, VIN 1FTEW1E88HFC08158.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 20, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AD, including those referenced above in the description of this violation, are contained in Exhibit AD and Exhibit CJ.

Vehicle AE - 2018 Ford F-150, VIN 1FTEW1EB8JFA49501.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 20, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AE, including those referenced above in the description of this violation, are contained in Exhibit AE and Exhibit CJ.

Vehicle AF - 2017 Ford F-150, VIN 1FTEW1EP0HFC39170.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 20, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AF, including those referenced above in the description of this violation, are contained in Exhibit AF and Exhibit CJ.

Vehicle AG - 2017 Ford F-150, VIN 1FTFW1EF5HKC08550.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 16, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AG, including those referenced above in the description of this violation, are contained in Exhibit AG and Exhibit CJ.

Vehicle AH - 2017 Ford F-150, VIN 1FTEW1E88HFA99975.

Date CBP released vehicle for entry into United States: July 16, 2020.
Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS affixed certification label (DVS IR Response): July 20, 2020.
Date of DVS Certification of Conformance: July 14, 2020.

Documents relating to Vehicle AH, including those referenced above in the description of this violation, are contained in Exhibit AH and Exhibit CJ.

Vehicle AQ - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJXFG442757.

Date CBP released vehicle for entry into United States: March 6, 2020.
Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS affixed certification label (DVS IR Response): "HOLD."
Date of DVS Certification of Conformance: March 5, 2020.

Documents relating to Vehicle AQ, including those referenced above in the description of this violation, are included in Exhibit AQ and Exhibit CJ.

2. DVS knowingly submitted false or misleading certifications of conformance to NHTSA that misrepresented the date that the subject vehicle entered the United States, in violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1). DVS knew these certifications were false because they were completed and signed before the vehicles had been released for entry into the United States.

DVS submitted each of its certifications of conformance to NHTSA on a NHTSA statement of conformity form, which requires a RI to state the date on which the vehicle entered the United States. *See* 49 C.F.R. § 592.6(d). Based on information obtained by the agency through its investigation, NHTSA has good cause to conclude that DVS has violated these regulatory requirements as follows (50 vehicles):

The certification of conformance (CoC) DVS submitted for each of the vehicles identified below included a representation of the date on which the vehicle entered the United States. Each of these certifications was knowingly false because DVS completed and signed each of them before the vehicle entered the United States. The date stated by DVS on each of these certifications was prior to the date the vehicle actually entered the United States, as stated by DVS in its IR Response. Each of these misrepresentations made the certification of conformance false or misleading and constitutes a violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1).

DVS certifies on an annual basis that it is familiar with and complies with regulations applicable to RIs. *See* 49 C.F.R. § 592.5(f)(2)(i). DVS, as the importer of record for each of these vehicles, knew when the vehicle entered the United States. Nonetheless, DVS signed and submitted a certification of conformance for each of these vehicles that misrepresented the date the vehicle entered the United States. “The certification must be signed and submitted by a principal of the Registered Importer . . . with an original handwritten signature and not with a signature that is stamped or mechanically applied.” 49 C.F.R. § 592.6(d)(3). NHTSA therefore concludes that DVS knowingly submitted these false or misleading certifications of conformance.

Vehicle A - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC9FG229882.

Date vehicle entered United States (DVS IR Response): January 15, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle A, including those referenced above in the description of this violation, are contained in Exhibit A and Exhibit CJ.

Vehicle B - 2016 Ford F-150, VIN 1FTEW1EG2GFB13486.

Date vehicle entered United States (DVS IR Response): May 27, 2020.
Date DVS represented vehicle entered United States on CoC: May 26, 2020.

Documents relating to Vehicle B, including those referenced above in the description of this violation, are included in Exhibit B and Exhibit CJ.

Vehicle C - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ9FG220856.

Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS represented vehicle entered United States on CoC: March 5, 2020.

Documents relating to Vehicle C, including those referenced above in the description of this violation, are included in Exhibit C and Exhibit CJ.

Vehicle D - 2015 Chevrolet Cheyenne, VIN 3GCNK9ECXFG189462.

Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS represented vehicle entered United States on CoC: March 5, 2020.

Documents relating to Vehicle D, including those referenced above in the description of this violation, are contained in Exhibit D and Exhibit CJ.

Vehicle E - 2015 Chevrolet Silverado LD Reg, VIN 3GCNK9ECXFG190577.

Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS represented vehicle entered United States on CoC: March 5, 2020.

Documents relating to Vehicle E, including those referenced above in the description of this violation, are contained in Exhibit E and Exhibit CJ.

Vehicle F - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC2FG371409.

Date vehicle entered United States (DVS IR Response): March 10, 2020.
Date DVS represented vehicle entered United States on CoC: February 18, 2020.

Documents relating to Vehicle F, including those referenced above in the description of this violation, are contained in Exhibit F and Exhibit CJ.

Vehicle G - 2014 RAM 1500 Sport Crew Cab, VIN 1C6RR7MT0ES324983.

Date vehicle entered United States (DVS IR Response): February 13, 2020.
Date DVS represented vehicle entered United States on CoC: February 12, 2020.

Documents relating to Vehicle G, including those referenced above in the description of this violation, are contained in Exhibit G and Exhibit CJ.

Vehicle H - 2017 Ford Escape, VIN 1FMCU9G96HUA42702.

Date vehicle entered United States (DVS IR Response): February 15, 2020.
Date DVS represented vehicle entered United States on CoC: February 12, 2020.

Documents relating to Vehicle H, including those referenced above in the description of this violation, are contained in Exhibit H and Exhibit CJ.

Vehicle I - 2019 Chevrolet Impala, VIN 2G11Z5S38K9141897.

Date vehicle entered United States (DVS IR Response): February 14, 2020.
Date DVS represented vehicle entered United States on CoC: February 12, 2020.

Documents relating to Vehicle I, including those referenced above in the description of this violation, are contained in Exhibit I and Exhibit CJ.

Vehicle J - 2019 Chevrolet Impala, VIN 2G11Z5S39K9146378.

Date vehicle entered United States (DVS IR Response): February 14, 2020.
Date DVS represented vehicle entered United States on CoC: February 12, 2020.

Documents relating to Vehicle J, including those referenced above in the description of this violation, are contained in Exhibit J and Exhibit CJ.

Vehicle K - 2015 Chevrolet Equinox, VIN 2GNALCEK2F6397001.

Date vehicle entered United States (DVS IR Response): January 27, 2020.
Date DVS represented vehicle entered United States on CoC: January 24, 2020.

Documents relating to Vehicle K, including those referenced above in the description of this violation, are contained in Exhibit K and Exhibit CJ.

Vehicle L - 2019 Chevrolet Equinox D2, VIN 2GNAXVEX0K6283486.

Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS represented vehicle entered United States on CoC: January 28, 2020.

Documents relating to Vehicle L, including those referenced above in the description of this violation, are contained in Exhibit L and Exhibit CJ.

Vehicle M - 2019 Chevrolet Equinox D2, VIN 2GNAXVEX6K6280270.

Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS represented vehicle entered United States on CoC: January 28, 2020.

Documents relating to Vehicle M, including those referenced above in the description of this violation, are contained in Exhibit M and Exhibit CJ.

Vehicle N - 2016 Lincoln MKX, VIN 2LMPJ8LP8GBL33753.

Date vehicle entered United States (DVS IR Response): January 17, 2020.
Date DVS represented vehicle entered United States on CoC: January 14, 2020.

Documents relating to Vehicle N, including those referenced above in the description of this violation, are contained in Exhibit N and Exhibit CJ.

Vehicle O - 2018 GMC Sierra LD Crew, VIN 3GTU2MEC4JG448213.

Date vehicle entered United States (DVS IR Response): January 20, 2020.
Date DVS represented vehicle entered United States on CoC: January 17, 2020.

Documents relating to Vehicle O, including those referenced above in the description of this violation, are contained in Exhibit O and Exhibit CJ.

Vehicle P - 2015 Cadillac SRX, VIN 3GYFNEE35FS599615.

Date vehicle entered United States (DVS IR Response): January 30, 2020.
Date DVS represented vehicle entered United States on CoC: January 29, 2020.

Documents relating to Vehicle P, including those referenced above in the description of this violation, are contained in Exhibit P and Exhibit CJ.

Vehicle Q - 2016 Lincoln MKC, VIN 5LMCJ2D9XGUJ00116.

Date vehicle entered United States (DVS IR Response): January 22, 2020.
Date DVS represented vehicle entered United States on CoC: January 21, 2020.

Documents relating to Vehicle Q, including those referenced above in the description of this violation, are contained in Exhibit Q and Exhibit CJ.

Vehicle R - 2015 Ford Focus, VIN 1FADP3F20FL257681.

Date vehicle entered United States (DVS IR Response): January 31, 2020.
Date DVS represented vehicle entered United States on CoC: January 30, 2020.

Documents relating to Vehicle R, including those referenced above in the description of this violation, are contained in Exhibit R and Exhibit CJ.

Vehicle S - 2015 Ford Escape, VIN 1FMCU9GX0FUC69900.

Date vehicle entered United States (DVS IR Response): January 20, 2020.
Date DVS represented vehicle entered United States on CoC: January 17, 2020.

Documents relating to Vehicle S, including those referenced above in the description of this violation, are contained in Exhibit S and Exhibit CJ.

Vehicle T - 2011 Ford F-150, VIN 1FTFW1ET3BFC53329.

Date vehicle entered United States (DVS IR Response): January 27, 2020.
Date DVS represented vehicle entered United States on CoC: January 24, 2020.

Documents relating to Vehicle T, including those referenced above in the description of this violation, are contained in Exhibit T and Exhibit CJ.

Vehicle U - 2014 Ford F-150, VIN 1FTFW1ET5EFC55183.

Date vehicle entered United States (DVS IR Response): January 27, 2020.
Date DVS represented vehicle entered United States on CoC: January 24, 2020.

Documents relating to Vehicle U, including those referenced above in the description of this violation, are contained in Exhibit U and Exhibit CJ.

Vehicle V - 2015 Chevrolet Cruze, VIN 1G1PE5SB4F7249308.

Date vehicle entered United States (DVS IR Response): January 17, 2020.
Date DVS represented vehicle entered United States on CoC: January 14, 2020.

Documents relating to Vehicle V, including those referenced above in the description of this violation, are included in Exhibit V and Exhibit CJ.

Vehicle X - 2017 GM Acadia C1, VIN 1GKKNRLA8HZ137945.

Date vehicle entered United States (DVS IR Response): January 24, 2020.
Date DVS represented vehicle entered United States on CoC: January 23, 2020.

Documents relating to Vehicle X, including those referenced above in the description of this violation, are contained in Exhibit X and Exhibit CJ.

Vehicle Y - 2017 Lincoln Continental, VIN 1LN6L9NC3H5610977.

Date vehicle entered United States (DVS IR Response): February 3, 2020.
Date DVS represented vehicle entered United States on CoC: January 30, 2020.

Documents relating to Vehicle Y, including those referenced above in the description of this violation, are contained in Exhibit Y and Exhibit CJ.

Vehicle Z - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC6FG503815.

Date vehicle entered United States (DVS IR Response): March 9, 2020.

Date DVS represented vehicle entered United States on CoC: March 5, 2020.

Documents relating to Vehicle Z, including those referenced above in the description of this violation, are contained in Exhibit Z and Exhibit CJ.

Vehicle AA - 2015 Chevrolet Silverado LD Reg, VIN 1GCNC9EC3FZ270543.

Date vehicle entered United States (DVS IR Response): March 10, 2020.

Date DVS represented vehicle entered United States on CoC: March 6, 2020.

Documents relating to Vehicle AA, including those referenced above in the description of this violation, are contained in Exhibit AA and Exhibit CJ.

Vehicle AB - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC3FG109530.

Date vehicle entered United States (DVS IR Response): March 10, 2020.

Date DVS represented vehicle entered United States on CoC: March 6, 2020.

Documents relating to Vehicle AB, including those referenced above in the description of this violation, are contained in Exhibit AB and Exhibit CJ.

Vehicle AC - 2017 Ford Escape, VIN 1FMCU0G97HUC82692.

Date vehicle entered United States (DVS IR Response): July 16, 2020.

Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AC, including those referenced above in the description of this violation, are contained in Exhibit AC and Exhibit CJ.

Vehicle AD - 2017 Ford F-150, VIN 1FTEW1E88HFC08158.

Date vehicle entered United States (DVS IR Response): July 16, 2020.

Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AD, including those referenced above in the description of this violation, are contained in Exhibit AD and Exhibit CJ.

Vehicle AE - 2018 Ford F-150, VIN 1FTEW1EB8JFA49501.

Date vehicle entered United States (DVS IR Response): July 16, 2020.

Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AE, including those referenced above in the description of this violation, are contained in Exhibit AE and Exhibit CJ.

Vehicle AF - 2017 Ford F-150, VIN 1FTEW1EP0HFC39170.

Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AF, including those referenced above in the description of this violation, are contained in Exhibit AF and Exhibit CJ.

Vehicle AG - 2017 Ford F-150, VIN 1FTFW1EF5HKC08550.

Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AG, including those referenced above in the description of this violation, are contained in Exhibit AG and Exhibit CJ.

Vehicle AH - 2017 Ford F-150, VIN 1FTEW1E88HFA99975.

Date vehicle entered United States (DVS IR Response): July 16, 2020.
Date DVS represented vehicle entered United States on CoC: July 14, 2020.

Documents relating to Vehicle AH, including those referenced above in the description of this violation, are contained in Exhibit AH and Exhibit CJ.

Vehicle AI - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC6FG271555.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AI, including those referenced above in the description of this violation, are contained in Exhibit AI and Exhibit CJ.

Vehicle AJ - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC1FG372163.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AJ, including those referenced above in the description of this violation, are contained in Exhibit AJ and Exhibit CJ.

Vehicle AK - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC3FG160817.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AK, including those referenced above in the description of this violation, are contained in Exhibit AK and Exhibit CJ.

Vehicle AL - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC3FG248640.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AL, including those referenced above in the description of this violation, are contained in Exhibit AL and Exhibit CJ.

Vehicle AM - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC6FG306269.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AM, including those referenced above in the description of this violation, are contained in Exhibit AM and Exhibit CJ.

Vehicle AN - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ3FG311329.

Date vehicle entered United States (DVS IR Response): January 15, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AN, including those referenced above in the description of this violation, are contained in Exhibit AN and Exhibit CJ.

Vehicle AO - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9ECXFG138605.

Date vehicle entered United States (DVS IR Response): January 13, 2020.
Date DVS represented vehicle entered United States on CoC: January 6, 2020.

Documents relating to Vehicle AO, including those referenced above in the description of this violation, are contained in Exhibit AO and Exhibit CJ.

Vehicle AP - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ3FG170021.

Date vehicle entered United States (DVS IR Response): March 10, 2020.
Date DVS represented vehicle entered United States on CoC: February 18, 2020.

Documents relating to Vehicle AP, including those referenced above in the description of this violation, are contained in Exhibit AP and Exhibit CJ.

Vehicle AQ - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJXFG442757.

Date vehicle entered United States (DVS IR Response): March 6, 2020.
Date DVS represented vehicle entered United States on CoC: March 5, 2020.

Documents relating to Vehicle AQ, including those referenced above in the description of this violation, are included in Exhibit AQ and Exhibit CJ.

Vehicle AY - 2019 Chevrolet Impala, VIN 2G11Z5S33K9146912.

Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS represented vehicle entered United States on CoC: January 28, 2020.

Documents relating to Vehicle AY, including those referenced above in the description of this violation, are contained in Exhibit AY and Exhibit CJ.

Vehicle BA - 2019 Chevrolet Impala, VIN 2G11Z5S31K9151817.

Date vehicle entered United States (DVS IR Response): January 27, 2020.
Date DVS represented vehicle entered United States on CoC: January 24, 2020.

Documents relating to Vehicle BA, including those referenced above in the description of this violation, are contained in Exhibit BA and Exhibit CJ.

Vehicle BC - 2016 Ford Edge, VIN 2FMPK3J94GBB96648.

Date vehicle entered United States (DVS IR Response): January 31, 2020.
Date DVS represented vehicle entered United States on CoC: January 30, 2020.

Documents relating to Vehicle BC, including those referenced above in the description of this violation, are contained in Exhibit BC and Exhibit CJ.

Vehicle BD - 2016 Ford Explorer, VIN 1FM5K8GT1GGB67219.

Date vehicle entered United States (DVS IR Response): February 4, 2020.
Date DVS represented vehicle entered United States on CoC: January 31, 2020.

Documents relating to Vehicle BD, including those referenced above in the description of this violation, are contained in Exhibit BD and Exhibit CJ.

Vehicle BE - 2014 Dodge Durango, VIN 1C4RDJDG2EC501566

Date vehicle entered United States (DVS IR Response): January 29, 2020.
Date DVS represented vehicle entered United States on CoC: January 27, 2020.

Documents relating to Vehicle BE, including those referenced above in the description of this violation, are contained in Exhibit BE and Exhibit CJ.

Vehicle BF - 2015 Chevrolet Silverado, VIN 3GCUK9EJ3FG321262.

Date vehicle entered United States (DVS IR Response): April 28, 2020.
Date DVS represented vehicle entered United States on CoC: April 14, 2020.

Documents relating to Vehicle BF, including those referenced above in the description of this violation, are contained in Exhibit BF and Exhibit CJ.

Vehicle BH - 2015 Chevrolet Silverado, VIN 3GCUK9EC5FG452498.

Date vehicle entered United States (DVS IR Response): April 28, 2020.
Date DVS represented vehicle entered United States on CoC: April 23, 2020.

Documents relating to Vehicle BH, including those referenced above in the description of this violation, are contained in Exhibit BH and Exhibit CJ.

Vehicle BI - 2015 Chevrolet Silverado, VIN 3GCUK9EJ0FG202486.

Date vehicle entered United States (DVS IR Response): May 5, 2020.
Date DVS represented vehicle entered United States on CoC: April 30, 2020.

Documents relating to Vehicle BI, including those referenced above in the description of this violation, are contained in Exhibit BI and Exhibit CJ.

3. DVS knowingly submitted false or misleading certifications of conformance to NHTSA that included altered DOT HS-7 forms that were different than the DOT HS-7 forms that DVS submitted to CBP, in violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1).

The regulations require that a RI submit, as part of its certification of conformance, “[a] copy of the HS-7 Declaration form executed at the time of its importation if a Customs broker did not make an electronic entry for the vehicle with the Bureau of Customs and Border Protection.” 49 C.F.R. § 592.6(d)(6)(v). Based on information obtained by the agency through its investigation, NHTSA has good cause to conclude that DVS has violated these regulatory requirements as follows (8 vehicles):

The “Entry and PGA data” NHTSA obtained from CBP for each of these vehicles states that DVS declared each of these vehicles as a fully conforming, certified vehicle under Box 2A of the DOT HS-7 form DVS filed with CBP. For each of these vehicles, DVS submitted a DOT HS-7 form to NHTSA with its certification of conformance. The DOT HS-7 form that DVS submitted to NHTSA for each of these vehicles had been altered in hand-writing and was materially different than the HS-7 form DVS submitted to CBP in that, among other things, Box 3 had been checked. DVS thereby falsely represented to NHTSA that the vehicle had been imported as a nonconforming and non-certified vehicle under Box 3. The DOT HS-7 form DVS submitted to NHTSA was not “the HS-7 Declaration form executed at the time of its importation.” 49 C.F.R. § 592.6(d)(6)(v). DVS’s failure to submit to NHTSA the same DOT HS-7 form it submitted to CBP as part of its certification and its misrepresentation in that certification that the vehicle had been admitted under Box 3 constitutes a false and misleading certification in violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. 592.6(d)(1).

DVS certifies on an annual basis that it is familiar with and complies with regulations applicable to RIs. *See* 49 C.F.R. § 592.5(f)(2)(i). DVS, as the importer of record, knows which box is checked on the DOT HS-7 form submitted to CBP for the vehicles it imports. DVS, as the RI, knows which box is checked on the copy of the DOT HS-7 form it submits to NHTSA. The hand-written alternations to the DOT HS-7 forms were intentionally made. DVS, in response to a direct question in the IR, failed to produce any information or documents in its IR Response indicating that it filed the altered DOT HS-7 forms with CBP to amend its earlier false declaration. DVS knowingly submitted false and misleading certifications to NHTSA that included altered DOT HS-7 import declaration forms.

Vehicle A - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC9FG229882.

Documents relating to Vehicle A, including those referenced above in the description of this violation, are included in Exhibit A.

Vehicle AI - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC6FG271555.

Documents relating to Vehicle AI, including those referenced above in the description of this violation, are contained in Exhibit AI.

Vehicle AJ - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC1FG372163.

Documents relating to Vehicle AJ, including those referenced above in the description of this violation, are contained in Exhibit AJ.

Vehicle AK - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC3FG160817.

Documents relating to Vehicle AK, including those referenced above in the description of this violation, are contained in Exhibit AK.

Vehicle AL - 2015 Chevrolet Cheyenne, VIN 3GCUK9EC3FG248640.

Documents relating to Vehicle AL, including those referenced above in the description of this violation, are contained in Exhibit AL.

Vehicle AM - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC6FG306269.

Documents relating to Vehicle AM, including those referenced above in the description of this violation, are contained in Exhibit AM.

Vehicle AN - 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ3FG311329.

Documents relating to Vehicle AN, including those referenced above in the description of this violation, are contained in Exhibit AN.

Vehicle AO - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9ECXFG138605.

Documents relating to Vehicle AO, including those referenced above in the description of this violation, are contained in Exhibit AO.

4. DVS knowingly submitted false or misleading certifications of conformance to NHTSA stating that imported vehicles had no uncompleted recalls, in violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1).

The regulations require that, prior to submitting a certification of conformance to NHTSA, a RI must remedy “all noncompliances and defects that are the subject of any pending safety recalls.” 49 C.F.R. § 592.6(c)-(d). Based on information obtained by the agency through its investigation, NHTSA has good cause to conclude that DVS has violated these regulatory requirements as follows (4 vehicles):

With respect to each of the following nonconforming vehicles, DVS submitted a certification of conformance to NHTSA stating that there were no uncompleted safety recalls. Each of the following vehicles had one or more open recalls at the time DVS made this certification. Each of these recalls remain open and uncompleted as of the date of this notice. DVS’s failure to complete each of these recalls prior to submitting a certification of compliance constitutes a violation of 49 C.F.R. § 592.6(c). DVS’s false certifications that there were no open safety recalls at the time it made the certification each constitutes a violation of 49 U.S.C. § 30146(a)(1) and 49 C.F.R. § 592.6(d)(1).

NHTSA’s basis for concluding that DVS knowingly submitted a false certification of conformance is set forth below the description for each vehicle.

Vehicle A - 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC9FG229882.

Manufacturer Recall No. 2016007.

Defect: “software defect which may prevent the deployment of frontal airbags and pretensioners.”

NHTSA Recall No. 16V651.

Effective Date of Recall: September 8, 2016.

Date of DVS Certification of Conformance: January 3, 2020.

NHTSA concludes that DVS knowingly submitted a false certification of conformance for this vehicle stating that “[t]he vehicle is not subject to any safety recalls as of the time of such certification” because, included with the certification submitted by DVS was a recall lookup printout showing this recall as open.

Documents relating to Vehicle A, including those referenced above, are included in Exhibit A.

Vehicle D – 2015 Chevrolet Cheyenne, VIN 3GCNK9ECXFG189462.

Manufacturer Recall No. N182156820.

Defect: software defect causing “temporary loss of EPS assist followed by a sudden return of EPS assist.”

NHTSA Recall No. 18V586.

Effective Date of Recall: September 7, 2018.

Date of DVS Certification of Conformance: March 5, 2020.

NHTSA concludes that DVS knowingly submitted a false certification of conformance for this vehicle stating that “[t]he vehicle is not subject to any safety recalls as of the time of such certification” because, included with the certification submitted by DVS was a recall lookup printout showing this recall as open.

Documents relating to Vehicle D, including those referenced above, are included in Exhibit D.

Vehicle E - 2015 Chevrolet Silverado LD Reg, VIN 3GCNK9ECXFG190577.

Manufacturer Recall No. N192261050.

Defect: “software error in the vehicle’s electronic-brake control module (EBCM) . . . the driver will experience unintended braking on the wheel on the opposite side of the failed sensor.”

NHTSA Recall No. 19V761.

Effective Date of Recall: October 24, 2019.

Date of DVS Certification of Conformance: March 5, 2020.

NHTSA concludes that DVS knowingly submitted a false certification of conformance for this vehicle stating that “[t]he vehicle is not subject to any safety recalls as of the time

of such certification” because, included with the certification submitted by DVS was a recall lookup printout showing this recall as open.

Documents relating to Vehicle E, including those referenced above, are included in Exhibit E.

Vehicle BH – 2015 Chevrolet Silverado, VIN 3GCUK9EC5FG452498.

Manufacturer Recall No. N182156820.

Defect: software defect causing “temporary loss of EPS assist followed by a sudden return of EPS assist.”

NHTSA Recall No. 18V586.

Effective Date of Recall: September 7, 2018.

Date of DVS Certification of Conformance: April 23, 2020.

Manufacturer Recall No. N192268490.

Defect: “vacuum pump output may decrease over time, decreasing the amount of vacuum/power brake assist.”

NHTSA Recall No. 19V645.

Effective Date of Recall: September 6, 2019.

Date of DVS Certification of Conformance: April 23, 2020.

NHTSA concludes that DVS knowingly submitted a false certification of conformance for this vehicle stating that “[t]he vehicle is not subject to any safety recalls as of the time of such certification” because, included with the certification submitted by DVS was a recall lookup printout showing these recalls as open.

Documents relating to Vehicle BH, including those referenced above, are included in Exhibit BH.

Confidential Business Information

All confidential business information provided in response to this notice to show cause must be submitted directly to the Office of Chief Counsel as described in the following paragraphs.

If you claim that any of the information you are required to provide in any submission required by this notice to show cause constitutes confidential business information (CBI), you must comply with 49 C.F.R. Part 512. This information is intended to help you comply with that regulation. A current version of the regulation is available at <http://www.ecfr.gov> by selecting Title 49 “Transportation,” selecting “Parts 500 – 599” and then selecting Part 512 “Confidential Business Information.”

You must email any confidentiality request to Jeff Eyres, Office of Chief Counsel, at jeffrey.eyres@dot.gov. To facilitate social distancing due to COVID-19, NHTSA is treating electronic submission as an acceptable method for submitting confidentiality requests to the

agency under 49 C.F.R. Part 512. <https://www.nhtsa.gov/coronavirus/submission-confidential-business-information>. Do not send a duplicate hardcopy of a confidentiality request to NHTSA.

What to include with a confidentiality request:

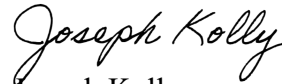
- a. You must include a request letter that contains supporting information, pursuant to 49 C.F.R. § 512.8. *See Food Marketing Institute v. Argus Leader Media*, 139 S. Ct. 2356 (2019). Your request must also include a certificate, pursuant to 49 C.F.R. § 512.4(b) and 49 C.F.R. Part 512, Appendix A.
- b. You are required to submit an unredacted, “confidential version” of the submission for which you are requesting confidential treatment. Pursuant to 49 C.F.R. § 512.6, the words “ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION” or “CONFIDENTIAL BUSINESS INFORMATION” (as applicable) must appear at the top of each page containing information claimed to be confidential, and if the information for which confidential treatment is requested is contained within a page, clearly mark the specific information claimed to be confidential by enclosing it within brackets: “[].”
- c. You are also required to submit a redacted, “public version” of the submission for which you are requesting confidential treatment. Pursuant to 49 C.F.R. § 512.5(a)(2), the redacted “public version” should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are not seeking confidential treatment).

Due Date

If DVS seeks reconsideration of this automatic suspension, any written submission of data, views, and arguments in support of a request for reconsideration must be provided to NHTSA on or before July 30, 2021. Any such written submission must be submitted to Brodie Mack, Chief of the Import and Certification Division in the NHTSA’s Office of Vehicle Safety Compliance, at brodie.mack@dot.gov, with a copy to Jeff Eyres, in NHTSA’s Office of Chief Counsel, unless it includes confidential business information and is submitted to the Office of Chief Counsel under the process described above. Any response by DVS should include a reference to NHTSA File ICD-2021-001.

If DVS requests the opportunity to present data, views, and arguments in support of a request for reconsideration in person (via teleconference or videoconference), it must make this request by contacting Jeff Eyres at 202.913.4307 or jeffrey.eyres@dot.gov. If DVS does not seek reconsideration of this automatic suspension or does not submit data, views, or arguments in support of a request for reconsideration, the automatic suspension will remain in place.

Sincerely,



Joseph Kolly
Acting Associate Administrator for
Enforcement

cc: Brian Burdick, Counsel for Diversified Vehicle Services, Inc.
(via email brian.burdick@btlaw.com)
Michael Moon, Counsel for Diversified Vehicle Services, Inc.
(via email michael.moon@btlaw.com)

Enclosures: Exhibit list and listed exhibits

Exhibit List for 1) Notice of Automatic Suspension of the Registered Importer Registration of Diversified Vehicle Services, Inc., 2) Notice of Proposed Revocation of the Registered Importer Registration of Diversified Vehicle Services, Inc., and 3) Notice of NHTSA's Challenge to Certifications of Conformance Submitted by Diversified Vehicle Services, Inc. (DVS), Inspection of Vehicles for Which DVS has Submitted Certifications of Conformance, and Required Evidence of Compliance in Support of Certifications of Conformance Submitted by DVS.

- Exhibit A: Documents relating to a 2015 Chevrolet Silverado LD Crew, VIN 3GCUK9EC9FG229882.
- Exhibit B: Documents relating to a 2016 Ford F-150, VIN 1FTEW1EG2GFB13486.
- Exhibit C: Documents relating to a 2015 Chevrolet Cheyenne, VIN 3GCUK9EJ9FG220856.
- Exhibit D: Documents relating to a 2015 Chevrolet Cheyenne, VIN 3GCNK9ECXFG189462.
- Exhibit E: Documents relating to a 2015 Chevrolet Silverado LD Reg, VIN 3GCNK9ECXFG190577.
- Exhibit F: Documents relating to a 2015 Chevrolet Cheyenne, VIN 3GCUK9EC2FG371409.
- Exhibit G: Documents relating to a 2014 RAM 1500 Sport Crew Cab, VIN 1C6RR7MT0ES324983.
- Exhibit H: Documents relating to a 2017 Ford Escape, VIN 1FMCU9G96HUA42702.
- Exhibit I: Documents relating to a 2019 Chevrolet Impala, VIN 2G11Z5S38K9141897.
- Exhibit J: Documents relating to a 2019 Chevrolet Impala, VIN 2G11Z5S39K9146378.
- Exhibit K: Documents relating to a 2015 Chevrolet Equinox, VIN 2GNALCEK2F6397001.
- Exhibit L: Documents relating to a 2019 Chevrolet Equinox D2, VIN 2GNAXVEX0K6283486.
- Exhibit M: Documents relating to a 2019 Chevrolet Equinox D2, VIN 2GNAXVEX6K6280270.
- Exhibit N: Documents relating to a 2016 Lincoln MKX, VIN 2LMPJ8LP8GBL33753.
- Exhibit O: Documents relating to a 2018 GMC Sierra LD Crew, VIN 3GTU2MEC4JG448213.

- Exhibit P: Documents relating to a 2015 Cadillac SRX,
VIN 3GYFNEE35FS599615.
- Exhibit Q: Documents relating to a 2016 Lincoln MKC,
VIN 5LMCJ2D9XGUJ00116.
- Exhibit R: Documents relating to a 2015 Ford Focus,
VIN 1FADP3F20FL257681.
- Exhibit S: Documents relating to a 2015 Ford Escape,
VIN 1FMCU9GX0FUC69900.
- Exhibit T: Documents relating to a 2011 Ford F-150,
VIN 1FTFW1ET3BFC53329.
- Exhibit U: Documents relating to a 2014 Ford F-150,
VIN 1FTFW1ET5EFC55183.
- Exhibit V: Documents relating to a 2015 Chevrolet Cruze,
VIN 1G1PE5SB4F7249308.
- Exhibit W: Documents relating to a 2014 Toyota Tundra,
VIN 5TFUY5F1XEX369017.
- Exhibit X: Documents relating to a 2017 GM Acadia C1,
VIN 1GKKNRLA8HZ137945.
- Exhibit Y: Documents relating to a 2017 Lincoln Continental,
VIN 1LN6L9NC3H5610977.
- Exhibit Z: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC6FG503815.
- Exhibit AA: Documents relating to a 2015 Chevrolet Silverado LD Reg,
VIN 1GCNC9EC3FZ270543.
- Exhibit AB: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC3FG109530.
- Exhibit AC: Documents relating to a 2017 Ford Escape,
VIN 1FMCU0G97HUC82692.
- Exhibit AD: Documents relating to a 2017 Ford F-150,
VIN 1FTEW1E88HFC08158.
- Exhibit AE: Documents relating to a 2018 Ford F-150,
VIN 1FTEW1EB8JFA49501.
- Exhibit AF: Documents relating to a 2017 Ford F-150,
VIN 1FTEW1EP0HFC39170.
- Exhibit AG: Documents relating to a 2017 Ford F-150,
VIN 1FTFW1EF5HKC08550.
- Exhibit AH: Documents relating to a 2017 Ford F-150,
VIN 1FTEW1E88HFA99975.

- Exhibit AI: Documents relating to a 2015 Chevrolet Silverado LD Crew,
VIN 3GCUK9EC6FG271555.
- Exhibit AJ: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC1FG372163.
- Exhibit AK: Documents relating to a 2015 Chevrolet Silverado LD Crew,
VIN 3GCUK9EC3FG160817.
- Exhibit AL: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC3FG248640.
- Exhibit AM: Documents relating to a 2015 Chevrolet Silverado LD Crew,
VIN 3GCUK9EC6FG306269.
- Exhibit AN: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EJ3FG311329.
- Exhibit AO: Documents relating to a 2015 Chevrolet Silverado LD Crew,
VIN 3GCUK9ECXFG138605.
- Exhibit AP: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EJ3FG170021.
- Exhibit AQ: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EJXFG442757.
- Exhibit AR: Documents relating to a 2017 Chevrolet Suburban,
VIN 1GN5C8EC8HR354171.
- Exhibit AS: Documents relating to a 2019 Mercedes GLS550W4,
VIN 4JGDF7DE4KB239651.
- Exhibit AT: Documents relating to a 2019 Mercedes GLS550W4,
VIN 4JGDF7DE7KB239952.
- Exhibit AU: Documents relating to a 2019 Mercedes GLS550W4,
VIN 4JGDF7DE9KB239838.
- Exhibit AV: Documents relating to a 2019 Mercedes GLS550W4,
VIN 4JGDF7DE5KB240565.
- Exhibit AW: Documents relating to a 2019 Mercedes GLS550W4,
VIN 4JGDF7DE4KB240489.
- Exhibit AX: Documents relating to a 2019 Jeep Wrangler,
VIN 1C4HJXENXKW657594
- Exhibit AY: Documents relating to a 2019 Chevrolet Impala,
VIN 2G11Z5S33K9146912.
- Exhibit AZ: Documents relating to a 2019 Chevrolet Impala,
VIN 2G11Z5S32K9158145.
- Exhibit BA: Documents relating to a 2019 Chevrolet Impala,
VIN 2G11Z5S31K9151817.

- Exhibit BB: Documents relating to a 2019 Chevrolet Impala,
VIN 2G11Z5S3XK914914.
- Exhibit BC: Documents relating to a 2016 Ford Edge,
VIN 2FMPK3J94GBB96648.
- Exhibit BD: Documents relating to a 2016 Ford Explorer,
VIN 1FM5K8GT1GGB67219.
- Exhibit BE: Documents relating to a 2014 Dodge Durango,
VIN 1C4RDJDG2EC501566.
- Exhibit BF: Documents relating to a 2015 Chevrolet Silverado,
VIN 3GCUK9EJ3FG321262.
- Exhibit BG: Documents relating to a 2015 Chevrolet Silverado,
VIN 3GCUK9EC6FG212201.
- Exhibit BH: Documents relating to a 2015 Chevrolet Silverado,
VIN 3GCUK9EC5FG452498.
- Exhibit BI: Documents relating to a 2015 Chevrolet Silverado,
VIN 3GCUK9EJ0FG202486.
- Exhibit BJ: Documents relating to a 2020 Ford F-150,
VIN 1FTEX1EP5LFC35590.
- Exhibit BK: Documents relating to a 2015 Chevrolet Silverado,
VIN 3GCUK9EJ9FG447643.
- Exhibit BL: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 1GCNK9EC0FZ202705.
- Exhibit BM: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCNC9EC1FG192828.
- Exhibit BN: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC3FG395038.
- Exhibit BO: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC6FG327672.
- Exhibit BP: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC6FG345864.
- Exhibit BQ: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EC8FG326586.
- Exhibit BR: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EJ4FG388808.
- Exhibit BS: Documents relating to a 2015 Chevrolet Cheyenne,
VIN 3GCUK9EJ5FG338290.
- Exhibit BT Documents relating to a 2016 Lincoln Navigator,
VIN 5LMJJ2LT7GEL06475.
- Exhibit BU Documents relating to a 2019 Ford F-150,
VIN 1FTEW1EG2KFC58312.

- Exhibit BV Documents relating to a 2016 RAM 1500,
VIN 1C6RR7LT4GS170413.
- Exhibit BW Documents relating to a 2019 Ford F-350,
VIN 1FT8W3BT1KEE78024.
- Exhibit BX Documents relating to a 2016 Ford F-150,
VIN 1FTEW1E87GKE52082.
- Exhibit BY Documents relating to a 2017 GMC Sierra,
VIN 1GT12UEY1HF145190.
- Exhibit BZ Documents relating to a 2020 Ford F-150,
VIN 1FTEX1EP5LFC35590.
- Exhibit CA: Documents relating to annual statements and change of information
notices provided by DVS to NHTSA.
- Exhibit CB: Emails received by NHTSA from Brian Scott Hockett as a
representative of DVS.
- Exhibit CC: Records relating to *United States of America v. Brian Scott Hockett*,
No. 1:09CR00072, venued in the United States District Court for the
Southern District of Indiana.
- Exhibit CD: Public corporate records obtained from the website maintained by the
Indiana Secretary of State.
- Exhibit CE: Records reflecting content printed from the DVS website.
- Exhibit CF: Records from the LinkedIn profile of Brian Scott Hockett.
- Exhibit CG: Records from the Facebook profile of Brian Scott Hockett.
- Exhibit CH: NHTSA's March 26, 2021 Information Request Letter to DVS.
- Exhibit CI: DVS's Response to NHTSA's Information Request Letter.
- Exhibit CJ: DVS Spreadsheet produced as part of DVS's IR Response.
- Exhibit CK: NHTSA's May 18, 2021 email to DVS regarding its IR Response.
- Exhibit CL: NHTSA March 20, 2020 Announcement regarding electronic
submission of Statements of Conformity.