



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Information and Communications Technology and Services
Washington, D.C. 20230

Securing the Information and Communications Technology and Services Supply Chain 15 CFR Part 791

ICTS Supply Chain: Connected Vehicles Subpart D

GENERAL AUTHORIZATION NO. 1 Limited Use Cases

Background

15 C.F.R. § 791.306 provides the Bureau of Industry and Security (BIS) the authority to issue general authorizations for certain types of transactions subject to the prohibitions of the Connected Vehicles rule, 15 C.F.R. § 791 Subpart D. Vehicle Connectivity System (VCS) hardware importers and connected vehicle manufacturers may rely on the following general authorization¹ to engage in an otherwise prohibited VCS hardware or covered software transaction if they meet the stated requirements or conditions identified in the general authorization and are not subject to the restrictions identified in 15 C.F.R. § 791.306(g) or section (e) herein.² All terms not defined herein shall have the meaning ascribed to them in 15 C.F.R. § 791.301, unless otherwise specified.

(a) General Authorization No. 1, Limited Use Cases.

A connected vehicle manufacturer is authorized to engage in an otherwise prohibited transaction under the following circumstances:³

¹ The Office of Information and Communications Technology and Services (OICTS) issues general authorizations for conditions that it assesses do not create undue and unacceptable risks to national security. These general authorizations are subject to change. Please subscribe to the OICTS newsletter or visit bis.gov/connected-vehicles to ensure you are referencing the most current version of general authorizations.

² For more information on specific authorizations, including instructions on how to submit a specific authorization application for prohibited transactions that do not meet the criteria for general authorizations, visit bis.gov/connected-vehicles.

³ VCS hardware importers who supply covered hardware imports to a completed connected vehicle that satisfies the conditions in General Authorization No. 1(i-iii) may apply for a specific authorization pursuant to 15 C.F.R. § 791.307. The specific authorization application must document the VCS hardware importer's due diligence and provide evidence demonstrating that the hardware will be integrated into a connected vehicle that satisfies the conditions outlined in General Authorization No. 1.

(1) If the completed connected vehicle that incorporates covered software or VCS hardware will be used on public roadways for fewer than 30 calendar days in any twelve-month period starting from its first use on a public roadway;

(A) Connected vehicle manufacturers availing themselves of this general authorization at (a)(1) must retain records to demonstrate the date of first use and that the vehicle owner intends to use the vehicle fewer than 30 calendar days in any twelve-month period on public roads. Connected vehicle manufacturers that are unable to demonstrate the vehicle owner's intended use may not avail themselves of this general authorization.

(2) If the completed connected vehicle that incorporates covered software or VCS hardware will be used solely for the purpose of display, testing, or research, and will not be used on public roadways; or

(3) If the completed connected vehicle that incorporates covered software or VCS hardware is temporarily imported solely for purposes of repair, alteration, or sporting competition off public roads and will be subsequently exported within one year from the time of import.

(A) Persons availing themselves of this general authorization at (a)(3) must retain records of import and export.

(b) Recordkeeping. Records demonstrating compliance with the terms of a general authorization must be retained for a period of 10 years, as specified in 15 C.F.R. § 791.312, and must be made available to BIS upon request.

(c) Change in circumstance. Within 30 days of discovering a change in circumstance, a VCS hardware importer or connected vehicle manufacturer availing itself of a general authorization must assess if it still qualifies for the general authorization and, in the case that it determines the articles subject to a general authorization have been imported, sold, or used outside the conditions of the general authorization, cease any prohibited conduct, conduct an internal inquiry, and submit a report to BIS as prescribed in 15 C.F.R. § 791.306(e)(1).

(d) Verification. BIS may, at its discretion, seek verification from VCS hardware importers and connected vehicle manufacturers as to whether they are relying on a general authorization, and if so, may request documentation to verify compliance with the requirements of such general authorization.

(e) Restrictions. VCS hardware importers and connected vehicle manufacturers may not avail themselves of any general authorization if any one or more of the following apply:

(1) BIS has notified the VCS hardware importer or connected vehicle manufacturer, either directly or through a publicly posted advisory opinion, that it is not eligible for a general authorization; or

(2) The VCS hardware importer or connected vehicle manufacturer is owned by, controlled by, or subject to the jurisdiction or direction of the People's Republic of China or the Russian Federation.

(f) Contact information. Please reach out to CV-intake@bis.doc.gov with any questions.

(g) Additional information. Additional information on the Connected Vehicles Rule can be found on the BIS Connected Vehicles Website, bis.gov/connected-vehicles.

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