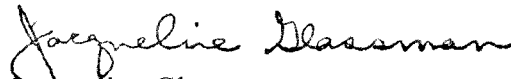


The “make inoperative” provision only applies to standards with which a vehicle is certified as complying. If a vehicle with a manufacture date of July 1, 2005, or later is manufactured with a lift, that vehicle must comply with FMVSS No. 404. However, if after first retail sale a platform lift is added to a vehicle manufactured either before or after July 1, 2005, that was not equipped with a lift at first retail sale, there is no duty for a modifier to bring that vehicle into compliance with FMVSS No. 404; i.e., there is no requirement to equip the modified vehicle with a lift that complies with FMVSS No. 403. Therefore, in such instances, a lift user would be able to have a non-compliant lift taken from an older vehicle and installed on a vehicle that he or she had previously purchased.

I hope you find this information helpful. If you have any additional questions please contact Mr. Chris Calamita of my staff at (202) 366-2992.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline Glassman". The signature is written in a cursive style with a large initial "J".

Jacqueline Glassman
Chief Counsel