

May 4, 2006

Question: *Bullet-proof windshield glass is used in ground vehicles having armored or ballistic protection. Certain armored ground vehicles are classified under Export Control Classification Number (ECCN) 9A018.b. on the Commerce Control List of the Export Administration Regulations (EAR); others are classified as EAR99. If bullet-proof windshield glass is exported separately from a vehicle, is it correctly classified under ECCN 9A018.b. or as EAR99?*

Answer: *Parts and components are classified under ECCN 9A018.b. only if they are for “ground transport vehicles ...designed or modified for non-combat military use.” Parts and components are not classified under ECCN 9A018.b. if they are for other types of vehicles classified under ECCN 9A018.b. or for vehicles that are classified as EAR99. Therefore, bullet-proof windshield glass is classified as EAR99 if it is for:*

1) “unarmed all-wheel drive vehicles capable of off-road use which have been manufactured or fitted with materials to provide ballistic protection to level III” classified under ECCN 9A018.b.;
or

2) “ground vehicles having armored or ballistic protection” that are classified as EAR99 pursuant to section 770.2(h), interpretation 8, which provides that ECCN 9A018(b) does not control civil automobiles (defined as passenger cars, limousines, vans or sport utility vehicles designed for the transportation of passengers and marketed through civilian channels in the United States) or trucks designed or modified for transporting money or valuables.

Bullet-proof windshield glass is classified under ECCN 9A018.b if it is for a ground transport vehicle designed or modified for non-combat military use as described in section 770.2(h)(1) - (2) of the EAR.