

SAN CELEBRATES SUCCESS IN 2006

The combined efforts of automotive hobbyists in the SEMA Action Network continue to result in legislative successes all over the country. The SAN's determined pursuit of its pro-active legislative agenda again persuaded state legislators to overhaul existing statutes and create new programs to safeguard and expand the specialty equipment aftermarket. Efforts by the SAN also led to the defeat of several poorly-formulated measures.

Modified Exhaust Legislation: The SAN defeated a number of harmful measures introduced across the country designed to restrict or ban the use of aftermarket or modified exhaust systems. The SAN was successful in beating back harmful legislation in HI, IL, MA, MI, NJ, PA, and VT. These bills generally did not supply law enforcement with a clear standard to enforce, allowing them to make subjective judgments on whether or not a modified exhaust is in violation.

In MA, the proposed bill would have expanded upon existing exhaust restrictions by banning the sale or installation of aftermarket and modified exhausts. And although a bill in NJ would have required the State Department of Environmental Protection to establish a decibel limit for all aftermarket mufflers sold in the State, there was no decibel limit offered in the bill. These bills would have made it difficult for hobbyists to replace factory exhaust systems with more durable, better performing options. In some states, noise limits for modified exhaust systems are established by a SEMA-model bill and applicable to an easy to administer test standard. The SEMA model provides for the testing of vehicle exhaust noise to a standard adopted by the Society of Automotive Engineers (SAE) with an established noise limit of 95 decibels.

Inoperable Vehicle Victories: The SAN beat back potentially harmful inoperable vehicle bills in a number of states this year. Among the states were HI, IL and WV. All of these bills sought to restrict the ability of hobbyists to maintain, restore, and repair inoperable vehicles on private property. Generally, the SAN supports legislation that permits the outdoor storage of motor vehicles if the vehicles are maintained in such a manner so as not to constitute a health hazard. These vehicles could be located away from public view, or screened by means of a suitable fence, trees, shrubbery, opaque covering or other appropriate means. These bills made no concessions for properly maintained or shielded vehicles.

California Hot Rods: Working with SEMA,

California published an alternate process to emissions test certain hot rods beyond the S.B. 100 exemption enacted several years ago. The alternate process involves certifying the vehicle to its engine configuration. Under California policy, the emissions controls of specially constructed vehicles are determined by one of two separate processes; (1) based on what the vehicle body or engine most resembles, or (2) model year or configuration of the engine installed. In the first case, a smog test referee compares the vehicle to those of the era that the vehicle most closely resembles to determine its model year. The vehicle's owner can then choose whether the inspector will certify the vehicle per the year of the body or the engine. If there is no close resemblance, the vehicle is classified as a 1960 model year. This program is limited to the first 500 applications for registrations of specially constructed vehicles submitted to DMV each year that meet the criteria. In the second case, the only emissions controls required are those used when the engine was originally manufactured. If a configuration precedes 1966, no exhaust emissions controls would be required. If the configuration precedes 1961, no PCV system would be required. If a range of model years applies to any particular engine configuration, vehicle owners have the option to select the model year of emissions controls to be used. New and rebuilt crate engines fall into this "range of model years" category.

Colorado Restoration Project: SAN-supported legislation creating a rebuilder's certificate of title for motor vehicles in the process of being restored was signed into law. The new law allows vehicles without a title to be issued a rebuilder's title based on the vehicle's early date of manufacture, design, historical interest, or status as a collector's item. In order to qualify the vehicle must not be roadworthy at the time of application, be at least 25 years old, and have a rolling chassis among its components. In addition the applicant must have a certified VIN inspection performed on the vehicle and an accompanying statement with specific vehicle information.

Maine Inspections: Maine is proposing to repeal and replace the existing regulations relating to the state's motor vehicle inspection program. In comments to the agency, SEMA objected to the omission of reference to a recently enacted law allowing vehicle exhaust systems to be certified to a 95 decibel limit. Under current Maine law, exhaust noise restrictions do not apply to a muffler or exhaust system that does

not emit noise in excess of 95 decibels as measured in accordance with SAE standard J1169. The Maine proposal could also could prohibit brush and grille guards and limit tire and wheel packages. SEMA provided comprehensive comments to the proposal on these items and a range of other equipment restrictions.

Maryland Antiques: SAN-supported legislation to provide for a one-time registration fee of \$50 for vehicles at least 60 years old was signed into law. Under the measure, the one-time registration is not transferable to a subsequent owner.

Mississippi Blue Dots: A SAN-supported bill to allow antique vehicles and street rods to display a blue, violet, or purple light as part of the vehicle's rear stop lamps was signed into law. Mississippi defines antique motor vehicles as those manufactured more than 25-years ago and street rods as modified vehicles produced by an American manufacturer in 1948 or earlier and used as a safe, non-racing vehicle.

Missouri Emissions Exemptions: SAN-backed legislation to exempt vehicles manufactured prior to 1996 from emissions inspections was signed into law. Under the new law, motor vehicles manufactured prior to 1996 will only be subject to a gas cap pressure test as part of the state's biennial safety inspection program. In addition, newer motor vehicles which have not been previously titled and registered will be exempted from emissions inspections for the four-year period following their model year of manufacture provided they are driven less than 40,000 miles for the first two years. All motor vehicles driven less than 12,000 miles between biennial safety inspections are also exempt.

South Carolina Antique Vehicle Taxes: SAN-supported legislation to provide an exemption from property taxes for motor vehicles licensed and registered as antiques was signed into law. South Carolina law defines an "Antique" as every motor vehicle which is "over 25-years old, is owned solely as a collector's item and is used for participation in club activities, exhibits, tours, parades and similar uses, but in no event used for general transportation."

Tennessee Antiques: SAN-supported legislation to provide for "general transportation" on Saturdays and Sundays for registered antique motor vehicles was signed into law. Under previous law, use of antique vehicles was strictly limited to "club activities, exhibits, tours, parades, and similar uses as a collector's item."