

Legislative Quick Hits

California Exhaust Noise Limit: The California Assembly introduced legislation to repeal last year's legislation that allowed California enthusiasts the use of aftermarket exhaust systems that meet a 95-decibel limit. Despite this new bill SEMA remains in discussion with state regulators to discuss details, including prospective start-up dates of the state's new exhaust noise testing program that uses the 95-decibel limit. The repeal bill will have no impact on the test program's implementation, and the SEMA government affairs office is working to nullify this new noise limitation legislation.

Illinois Lamp Covers: SEMA succeeded in amending Illinois legislation that originally threatened to prohibit the installation and use of tinted lamp covers. SEMA's amendment allowed for tinted lamp covers when the lamps are not required to be in operation. SEMA is particularly indebted to Sen. John Millner (R-St. Charles) for working with us in crafting amendments to the legislation that respect the rights of enthusiasts to customize their vehicles without sacrificing safety.

Maine Exhaust Noise: Thanks in large part to the efforts of the *Maine Custom Car Association*, Maine became the second state this year after New Hampshire to introduce SEMA-model legislation to create an enforceable motor vehicle exhaust noise standard. Currently, Maine deems illegal all modifications that increase noise levels above that emitted by the vehicle's original muffler. The SEMA model requires law enforcement authorities to prove that an exhaust system modification results in a noise level in excess of 95 decibels as measured by a predictable Society of Automotive Engineers' test standard before issuing a citation. Similar SEMA-

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California Legislation Would Eliminate Popular Emissions Exemption

In what seems like a yearly battle to California's SEMA Action Network members, the California Senate reintroduced legislation to repeal the state's rolling emissions testing exemption for vehicles 30 years old and older. S.B. 708, sponsored by Sen. Dean Florez (D-Fresno), would repeal the current pro-hobbyist exemption and replace it with an emissions testing program for vehicles up to 45 years old, commencing Jan. 1, 2005.

"California legislators and regulators are clearly feeling the heat from continuing failed efforts to meet air quality goals and are looking for a convenient scapegoat in older cars," noted Steve McDonald, SEMA director of government and technical affairs. "The old-car hobby should not carry the burden of their mistakes."

SEMA alerted California SEMA Action Network clubs and enthusiasts, SEMA member companies and the automotive press about this bill. The campaign to stop the repeal of the pro-hobby emissions testing exemption is in force. Brian Caudill, director of the SEMA Action Network commented, "Can anyone imagine in 2005 subjecting a 45-year-old car like my neighbors' mint-condition '60 Chevy convertible to a smog test?"

California hobbyists agree. Minutes after SEMA sent out the legislative alert

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Why Exempt California Classics From Emissions Testing?

- Current California law recognizes the minimal impact 30-year-old and older vehicles have on overall emissions calculations and air quality.
- Older vehicles constitute a tiny portion of California's vehicle population, currently less than 3 percent of more than 23 million vehicles, and are a poor source to look for emissions reductions.
- Antique and classic vehicles are overwhelmingly well-maintained and infrequently driven (about one-third the miles each year of a new vehicle).
- Many states have enacted similar exemptions, the most recent was in Missouri in 2001, Virginia in 2000 and Washington state in 1998.



1960 Ford Thunderbird

Federal Off-Highway Vehicle Legislation Introduced Closing Access to OHV Hobbyists

The U.S. House of Representatives introduced a bill (H.R. 652) to create a National Forest Ecosystem Protection Program composed of existing wilderness areas and adjacent primitive areas. If enacted, the federal government would effectively treat the primitive lands the same as wilderness areas. This distinction and the designation are important to OHV hobbyists because the bill would close all unimproved, unmapped and non-system roads, and forbid all motorized recreation. The bill would also fund a program to purchase neighboring private lands to add to the ecosystem inventory.

Although most wilderness areas are located in the West, New Jersey Rep. Robert Andrews (D-NJ) introduced the bill. His legislation tries to even the playing field a bit by directing the federal government to spend \$100 million a year to purchase private property within primitive eastern areas and only \$5 million for the West.

The purpose of the legislation is to set aside large tracts of land in natural condition to "maximize wildland recreation opportunities for people, maximize habitat protection for native wildlife and natural plant communities and contribute to a preservation of water for use by downstream metropolitan communities."



"It's hard to argue with these goals," noted SEMA Action Network Director Brian Caudill, "but we don't agree with the premise that responsible off-highway vehicle recreation harms the environment. In fact, OHV recreation is entirely consistent with the bill's goal of connecting people and nature."

H.R. 652 is assigned to several House committees. There has been no action to date.

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authored legislation passed last year in California, and we hope Maine will follow suit.

Maryland Inspection Standards: Responding to SEMA's negative comments, the Maryland state police withdrew a proposal to amend portions of the state's vehicle inspection regulations. The Maryland proposal was heavily weighted in favor of original manufacturer equipment and specifications for wheels and tires, exhaust systems, bumpers and lighting and could have had a detrimental effect on vehicle customization in Maryland. The Maryland state police opted to withdraw the proposal instead of incorporating SEMA's recommendations.

Michigan Insurance Law: Last year, SEMA and partner Hagerty Insurance helped to pass legislation that reduced the Michigan Catastrophic Claims Association's fees charged on historical vehicles. This 80-percent reduction to historical vehicle owners is now targeted for repeal. SEMA and Hagerty Insurance will again work together to override the repeal.

New York Greenhouse Gases: New York became the third state this year after Connecticut and Hawaii to introduce legislation to regulate greenhouse gas emissions, including carbon dioxide. The bill provides that the regulations must be consistent with California's laws and regulations and will apply to 2009 model year and later vehicles. The new California law

prohibits regulators from reducing speed limits, restricting vehicle size or imposing new taxes or fees. Many believe this law is a back-door effort by environmentalists to set fuel-economy standards, an authority the law's opponents state is exclusively reserved to the federal government. Because CO2 is given off whenever gasoline is burned, the only way to cut emissions is to make vehicles that burn less gasoline or vehicles driven by electricity or other means. This may potentially restrict sales of SUVs and light trucks, and products that increase vehicle performance at the expense of fuel economy.

West Virginia Light Bars: West Virginia Gov. Bob Wise signed into law legislation regulating light bars. The original legislation allowed only original vehicle manufacturer's equipment light bars in the state. As introduced, this bill banned the sale, installation and use of aftermarket light bars equipped with aftermarket lighting equipment and mandated that the lights be installed or aimed by or at the direction of the vehicle manufacturer. SEMA succeeded in amending this legislation so that aftermarket light bars are permitted if used off-road and are turned off and covered when the vehicle is operated on state roadways. In addition, the lights are no longer required to be installed or aimed by the vehicle manufacturer. SEMA would like to highlight the quick work of members of the *East Coast 4 Wheel Drive Association* for their efforts in helping SEMA amend this fast-moving legislation.

Racers Against Street Racing Provides Legal Drag-Racing Alternatives

By Gregg Guenthard

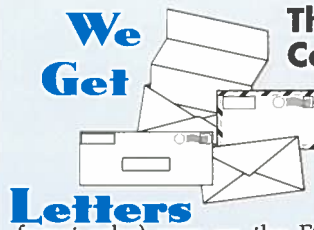
News stories across the country have told tales of illegal street racing resulting in injury and even death when the racers' machines get out of control. This is bad for the hobby and bad for the young enthusiasts who love their cars. To address the problem, SEMA joined forces with Racers Against Street Racing (RASR), a coalition of auto manufacturers, aftermarket parts companies, professional drag racers, sanctioning bodies and automotive magazines, to promote safe and legal alternatives to illegal street racing on a national level.

RASR seeks to be the conduit for all of the worthy, street-legal racing programs that currently exist across the country. Also, it aims to help disseminate information to those seeking to establish such programs. Since young street racers are digital mavens, the tool RASR intends to use the most is the Internet, with a Web site that supports racing programs, contests, driver and car galleries and has links to RASR sponsors.

RASR also has an educational component that will soon go out to the future drivers of the United States. Using driver education courses, schools and automotive events, RASR has a video, produced by MTV's Flipped Video, named "Speed Demons." The video tells the tale of two street racers who go through real-life lessons of incarceration and death to understand they need to take it off the streets and onto a track. SEMA knows that public opinion of the vehicle hobby must remain positive for it to flourish, and getting illegal racers to a safe venue, while still having a good time, is essential.

SEMA also sees this as an important industry endeavor, with companies such as American Honda signing on as a founding sponsor and American Products Co./APC and Reliable Automotive also signing on as sponsors. With these sponsors and more financial support from the performance industry, RASR can reach out across the country with its message: If you want to race, go to a racetrack.

For more information or to get involved in RASR, contact Gregg Guenthard at SEMA, 909/396-0289, ext. 214 or greggg@sema.org or visit www.RacersAgainstStreetRacing.org.



The SUV Banter Continues

A few days ago, a funny thing happened to a celebrity who was mouthing off about SUVs. One of the Kennedys (I forget who) was on the FOX network show *Hannity and Colmes*. He went after SUVs. Sean Hannity told him that he should not decide which vehicles people drive and then went on to ask how many gallons of fuel he burns by traveling in a private jet.

The Kennedy came unglued, but it is a valid point. On the basis of pounds of fuel burned to get X people delivered to a destination, private jets could be called a waste. Yet, how many of the people who rail against SUVs travel by chartered private jets or own them or have them provided by corporations that agree with their political stances?

Terry Fitzgerald
Boise, Idaho

RE: March 2003 "Tech Corner"

SEMA's Technical Guru, Frank Bohanan, Answers the Questions

Just finished reading your "Tech Corner" article in the March 2003 issue of *Driving Force* regarding "Smog Legal Equipment." A couple of times you mentioned that PCMV's [pollution controlled motor vehicles] in California were any vehicles produced after 1966. For your information in 1997 the California State Legislature passed S.B. 42, which exempted 1973 and older automobiles from smog certification until the year 2003 at which time the exemption became a 30-year rolling exemption (i.e., in 2004 all 1974 cars and older will be exempt). You may wish to clarify this in your next "Tech Corner." Otherwise, it was a very good article. Keep up the good work.

Cathi Seidler
Huntington Beach, California

Frank Responds: The 1966 through 1973+ models (it varies with the rolling exemption, at least for now) are still PCMV's. That they are currently exempted from emissions testing/smog check does not change the fact that they were required to meet emissions standards when they were produced; they had to be certified prior to sale. Therefore, it is still technically illegal both under California and federal law to remove, disconnect or otherwise render inoperative any required emissions control devices even though the vehicles will no longer be subject to inspection/testing. If a peace officer wanted to make an example out of such a vehicle, he/she could still legally cite the owner for violating California vehicle code section 27156. While SEMA was instrumental in getting S.B. 42 passed, and we will surely fight S.B. 708, which attempts to effectively repeal it, SEMA does not support illegally removing required emissions control equipment. There are numerous legal add-on and/or modified parts that may be installed, so removing the equipment is pointless as well as risky.

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Newly Introduced Legislation

Note: The following state bills are not laws. They were recently introduced and are currently under consideration by the respective state legislatures:

Emissions

- Alaska H.B. 81** – would require vehicles to pass emissions tests before registration.
- Georgia H.B. 535** – would create a tax credits for new low and zero emissions vehicles.
- Georgia H.B. 676** – authorizes the use of remote emissions system testing.
- Kentucky H.J.R. 134** – would eliminate the Northern Kentucky Emissions Check program.
- Maryland H.B. 373** – would establish a low emissions vehicles program.
- Nevada S.B. 189** – would provide for biennial emissions inspections in counties with populations greater than 400,000.
- Pennsylvania H.B. 123** – would require implementation of the zero emissions component of Phase II of the California Low Emissions Vehicle Program.
- Pennsylvania H.B. 708** – would prohibit creating an annual vehicle emissions inspection program.

Inoperable Vehicles

- California A.B. 789** – would exempt vehicles with certificates of non-operation from ordinances that authorize the removal of such vehicles if the vehicle is lawfully stored and parked.
- Texas H.B. 1129** – would permit local governments to regulate or restrict vehicle storage on private property.
- Texas H.B. 1773** – would permit municipalities to adopt additional requirements that exceed the minimum standards for a junked vehicle.

Inspections and Equipment

- California A.B. 1618** – would prohibit delivery of any vehicle without a front license plate bracket.
- Maine H.B. 595** – would establish standards for vehicle height.
- Maine H.B. 616** – would create the Motor Vehicle Inspection Advisory Board.
- Maine H.B. 641** – would permit any wheel/tire combination on ABS-equipped vehicles, provided the diameter of replacement wheel and tire is the same as OEM recommended.
- North Carolina H.B. 26** – would prohibit license plate covers that interfere with traffic control camera systems.

Lighting

- Arkansas H.B. 1942** – would prohibit the use of any lamp or device that displays a red, blue or green light visible from the front of the vehicle.
- Arkansas S.B. 819** – would permit up to two ornamental white LED lights on the front of a vehicle.
- Kansas H.B. 2221** – would allow neon underbody lighting provided it is not red and no neon tubes are visible.
- Kentucky H.B. 262** – would prohibit the use of flashing or oscillating green light and the use of red, green or blue lights anywhere on, underneath, or in a vehicle if lights are visible from the front of the vehicle.
- Maine H.B. 807** – would prohibit the use of imitation high-density discharge (HID) bulbs.
- Missouri H.B. 389** – would require headlight use during adverse weather conditions.
- New York A.B. 3717** – would authorize reduced insurance premiums for vehicles with daytime running lights.
- South Carolina H.B. 3459** – would prohibit the use of colored or tinted motor vehicle headlamps.

Miscellaneous

- Arizona H.B. 2386** – would prohibit cruising, street racing and illegal parking on highways.
- Georgia H.B. 302** – would allow localities to establish/enforce vehicle audio equipment noise control standards.
- Michigan H.B. 412** – would remove the provision that antique vehicles be charged an insurance premium that is 20 percent of regular insurance premiums.
- New York A.B. 3676** – would prohibit the forgery and illegal possession of vehicle ID numbers.
- New York A.B. 3695** – would require car audio system inspections during periodic vehicle testing; sets maximum sound level limits.
- Texas H.B. 223** – would prohibit the use of unreasonably loud vehicles.
- Texas H.B. 1326** – would prohibit street racing and knowingly attending a street race.

Tags, Titles Registration

- Alabama H.B. 36** – would require a certificate of title for a vintage motor vehicle at the request of the owner based on a verified application or other proof of ownership.

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APRIL AND MAY SAN CLUB EVENTS

CALIFORNIA

April 25-27, Bakersfield
27th Annual NSRA Western Street Rod Nationals
Sponsor: National Street Rod Association
Information: 724/932-3747

April 25-27, Tulare
7th Annual IH Western Regionals
Sponsor: Scouts West/Sierra Scouts
Information: 661/245-3250

April 27, Buena Park
18th Annual Fabulous Fords Forever
Sponsor: Ford Car Club Council
Information: 562/862-9311

May 3, Antioch
5th Annual Show and Shine
Sponsor: Diablo Valley Mustang Association
Information: 925/685-3410

ILLINOIS

April 27, Elmhurst
20th Annual Car Show and Swap Meet
Sponsor: Walter P. Chrysler Club, Northern Illinois Region
Information: 708/749-0115

April 27, St. Charles
Spring Tune-Up
Sponsor: Pontiac-Oakland Club, Illinois Chapter
Information: 630/232-8372

MASSACHUSETTS

April 13, Fitchburg
33rd Annual Flea Market and Car Show
Sponsor: Early Ford V-8 Club
Information: 603/778-4788

MINNESOTA

April 29, St. Paul
MSRA "Run to the Hill"
Sponsor: Minnesota Street Road Association
Information: 651/385-8641

OKLAHOMA

April 11-13, Oklahoma City
20th Annual NSRA Southwest Street Rod Nationals
Sponsor: National Street Rod Association
Information: 724/932-3747

VIRGINIA

April 26-27, Cartersville
Bodacious Off-Road Racing
Sponsor: Virginia 4 Wheel Drive Association
Information: www.geocities.com/od4wdc

Newly Introduced Legislation

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New York A.B. 3404 – would require initial historic vehicles registration fee; exempts historic vehicles from subsequent registration fees unless sold/transferred.

New York A.B. 3705 – would permit historic motor vehicle registration with a one-time fee of \$23.

Texas H.B. 1374 – would require salvage vehicles to undergo safety and emissions inspections.

Rhode Island H.B. 5487 – would create special registration/license plates for street rods/custom vehicles.

Tennessee S.B. 875/ H.B. 1568 – would provide for titling/registration of off-highway motor vehicles (OHVs); requires the state to acquire/maintain land for OHV use.

Washington H.B. 2049 – would define and establish inspection and registration standards for salvage vehicles.

Window Tint

Arkansas H.B. 2491 – would prohibit reflectorized or mirrored windows/window treatments.

Minnesota S.B. 631 – would prohibit installing reflective material or window tinting on vehicles.

New York S.B. 1640 – would require the inspection of tinted windows during vehicle inspections.

New York A.B. 3387 – would require inspection of window tint for light transmittance during safety inspections.

New York A.B. 3305 – would require examination of tinted or shaded windows during vehicle inspections.

Pennsylvania S.B. 219 – would require that vehicle sunscreen material be examined during safety inspections.

Rhode Island H.B. 6142 – would permit medical exemptions from window tinting laws.

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For more legislative and regulatory information, check out the SEMA consumer Web site: www.enjoythedrive.com/san

Increased Fines for Off-Road Vehicle Damage

Rep. Mark Udall (D-CO) reintroduced legislation (H.R. 751) to increase fines for improper use of vehicles that results in damage to public lands. The current maximum fine is \$1,000. This number would be raised to \$10,000 or the federal government's costs to restore the land, whichever is greater. Violators could also face up to 12 months of jail time.

Rep. Udall acknowledges that most vehicle users are responsible and that the bill is aimed only at those few who don't respect the land. "The current \$1,000 fine limit has

not changed since 1976, and it may be hard to argue that this is sufficient in those few instances when violations may cost thousands to repair," said Brian Caudill, SEMA Action Network director. "On the other hand, the fines should be directly related to reasonable restoration of damaged property. They should not become a tool to shut down access to the back country or prejudice the public against off-highway vehicle enthusiasts." Aside from its introduction the bill has received no attention in Congress to date.

California Legislation/Emissions

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on S.B. 708, hobbyists began to fax, e-mail and write their California state senators in opposition. We would especially like to thank the *Association of California Car Clubs (ACCC)*, the *South Bay AMX Club*, the *Southern California Gathering Car Club* and the *Sierra Motorsports Club* for their efforts to defeat this legislation.

California hobbyists, if you haven't yet contacted your state senators to oppose S.B. 708, please take the time. To find out who your state senators are, contact the California senate information line at 916/445-4311 or access the information via the Internet at www.leginfo.ca.gov/yourleg.html.

www.semaactionnetwork.com

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