

2001 REGULAR SESSION
CHAPTER 871 (Senate Bill No. 100)

2001 Cal ALS 871; 2001 Cal SB 100; 2001 Cal Stats. ch. 871

[Approved by Governor October 13, 2001. Filed with Secretary of State October 14, 2001.]

Urgency legislation is effective immediately, Non-urgency legislation will become effective January 1, 2002

To the Members of the California Legislature:

I am signing Senate Bill 100 which creates a Smog Check and emission control equipment exemption limited to 500 specially constructed vehicles ("kit cars") each year.

In signing this measure, I am also directing the Department of Motor Vehicles to implement the provisions of the bill within existing resources.

Sincerely, qr

GRAY DAVIS qr

The people of the State of California do enact as follows:

[*1] SECTION 1. Section 44017.4 is added to the Health and Safety Code, to read:
§ 44017.4.

(a) Upon initial registration with the Department of Motor Vehicles, a passenger vehicle or pickup truck that is a specially constructed vehicle, as defined in Section 580 of the Vehicle Code, shall be inspected by stations authorized to perform referee functions. This inspection shall be for the purposes of determining the engine model-year used in the vehicle or the vehicle model-year, and the emission control system application. The owner shall have the option to choose whether the inspection is based on the engine model-year used in the vehicle or the vehicle model-year.

(1) In determining the engine model-year, the referee shall compare the engine to engines of the era that the engine most closely resembles. The referee shall assign the 1960 model-year to the engine in any specially constructed vehicle that does not sufficiently resemble a previously manufactured engine. The referee shall require only those emission control systems that are applicable to the established engine model-year and that the engine reasonably accommodates in its present form.

(2) In determining the vehicle model-year, the referee shall compare the vehicle to vehicles of the era that the vehicle most closely resembles. The referee shall assign the 1960 model-year to any specially constructed vehicle that does not sufficiently resemble a previously manufactured vehicle. The referee shall require only those emission control systems that are applicable to the established model-year and that the vehicle reasonably accommodates in its present form.

(b) Upon the completion of the inspection, the referee shall affix a tamper-resistant label to the vehicle and issue a certificate that establishes the engine model-year or the vehicle model-year, and the emission control system application.

(c) The Department of Motor Vehicles shall annually provide an initial registration to no more than the first 500 vehicles that meet the criteria described in subdivision (a) that are presented to that department for registration.