

Chapter 311

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

*In the Year Two Thousand and Ten*

AN ACT RELATIVE TO THE REGISTRATION AND INSPECTION OF STREET RODS AND CUSTOM VEHICLES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 2G the following 2 sections:-

Section 2H. (a) For purposes of this section, section 2I and section 33, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Custom vehicle", a motor vehicle for which the year of manufacture is after 1948, for which the model year is at least 25 years old and that has been altered from the manufacturer's original design or has a body constructed, in whole or in part, from non-original materials.

"Model year", the model year indicated on a motor vehicle's certificate of origin or, if there is no such certificate, the model year the body of such vehicle most closely resembles.

"Replica vehicle", a motor vehicle constructed or assembled by a non-manufacturer from new or used parts that, when assembled, replicates an earlier year, make and model vehicle.

"Specially-constructed vehicle", a motor vehicle reconstructed or assembled by a non-manufacturer from new or used parts, the exterior of which does not replicate or resemble any other manufactured vehicle.

"Street rod", a motor vehicle for which the year of manufacture is prior to 1949, and which has been altered from the manufacturer's original design or has a body constructed from non-original materials.

(b) The registrar shall issue certificates of registration and number plates for street rods, replica vehicles, specially-constructed vehicles and custom vehicles in accordance with this section. The registrar may assign an appropriate registration plate to a custom vehicle, replica vehicle, specially-constructed vehicle or street rod based upon the vehicle's intended use and the registration requirements under 540 CMR 2.05.

(c) Street rods, replica vehicles, specially-constructed vehicles and custom vehicles shall not be considered antique motor cars and shall not be eligible for registration pursuant to section 6A.

(d) Replica vehicles shall be titled as the year in which the vehicle was built and the make, model and year of the vehicle that is intended to be replicated. A label of "Replica" shall be applied to the title and registration card. Custom vehicles and street rods shall be titled as the year in which the vehicle was built and an appropriate description of the vehicle including make, model and model year; provided, however, that the manufacturer's name shall continue to be used as the make with a label of "street rod" or "custom vehicle" applied to the title and registration card. Specially-constructed vehicles shall be titled and registered showing the make as "specially constructed" and the year the vehicle was built shall be the vehicle model year.

Section 2I. (a) The registrar, prior to the initial registration of a custom vehicle, replica vehicle, specially-constructed vehicle or street rod, may require such vehicle to undergo a salvage-type inspection at a facility to be determined by the registrar to ensure that stolen parts have not been included in the vehicle.

(b) The registrar, prior to the initial registration of a custom vehicle, replica vehicle, specially-constructed vehicle or street rod, may require such vehicle to obtain a state-assigned vehicle identification number, unless the registrar is satisfied that there is a clearly visible state-assigned vehicle identification number that was previously assigned by the commonwealth or another state.

(c) The registrar may refuse to register or may revoke the registration of a custom vehicle, replica vehicle, specially constructed vehicle or street rod, originally built by its manufacturer as a model year 1966 or later vehicle, unless such vehicle is equipped with operable safety belts for all passenger positions.

(d) The registrar may refuse to register or may revoke the registration of a custom vehicle, replica vehicle, specially constructed vehicle or street rod if the registrar determines that the original manufacturer had installed an air bag or air bags in the vehicle and the current version of the vehicle does not contain such air bag or air bags.

SECTION 2. Section 33 of said chapter 90, as appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph:-

(37) For the registration of every street rod, replica vehicle, specially constructed vehicle or custom vehicle, as defined in section 2H consistent with the vehicle's intended use and the requirements of 540 CMR 2.05.

SECTION 3. Subsection (b) of section 142M of chapter 111 of the General Laws, as so appearing, is hereby amended by inserting after the third paragraph the following paragraph:-

Street rods and custom vehicles, as defined and registered pursuant to section 2H of chapter 90, shall receive an emissions waiver certificate. Specially constructed vehicles and replica vehicles, as defined and registered pursuant to said section 2H of said chapter 90, and registered on or before April 30, 2012, shall receive an emissions waiver certificate. Specially constructed vehicles and replica vehicles, as so defined, registered after April 30, 2012 shall be subject to emission control requirements based on the model year and configuration of the engine installed in the specially constructed or replica vehicle, whether the engine is an original equipment manufacturer's production engine, rebuilt engine or crate engine. Regulations relative to emissions compliance for replica or specially constructed vehicles registered after April 30, 2012 may establish maximum limits on the annual number of vehicle miles traveled by these vehicles; provided, however, that any such limit set, shall not be set at less than 3,000 miles per year. If the model year of the engine installed in the specially constructed or replica vehicle requires an onboard diagnostic system, the vehicle shall be subject to an onboard diagnostic system emissions test applicable to the certified configuration, including any exclusions or exemptions otherwise granted to that certified configuration.

SECTION 4. This act shall take effect on April 30, 2011.

House of Representatives, August 4, 2010.

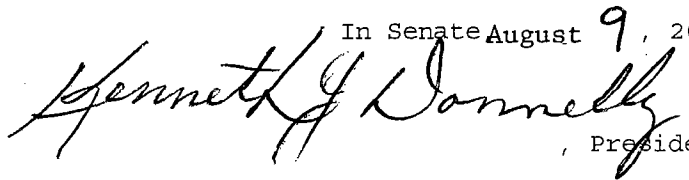
Passed to be enacted,



, Speaker.

In Senate August 9, 2010.

Passed to be enacted,



, President.

19 August, 2010.

Approved,



Governor.