

SENATE, No. 2584

[July 31, 2010 - Text of the Senate amendment (Ways and Means) to the House Bill relative to the registration and inspection of street rods and custom vehicles, House, No. 4871.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Ten
—————

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

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

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

8 “Model year”, the model year indicated on a motor vehicle’s certificate of origin or, if
9 there is no such certificate, the model year the body of such vehicle most closely resembles.

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

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

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

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

23 (c) Street rods, replica vehicles, specially-constructed vehicles and custom vehicles shall
24 not be considered antique motor cars and shall not be eligible for registration pursuant to section
25 6A.

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

34 Section 2I. (a) The registrar, prior to the initial registration of a custom vehicle, replica
35 vehicle, specially-constructed vehicle or street rod, may require such vehicle to undergo a

36 salvage-type inspection at a facility to be determined by the registrar to ensure that stolen parts
37 have not been included in the vehicle.

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

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

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

51 **SECTION 2.** Section 33 of said chapter 90 is hereby amended by adding the following
52 paragraph:-

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

56 **SECTION 3.** Subsection (b) of section 142M of chapter 111 of the General Laws, as
57 appearing in the 2008 Official Edition, is hereby amended by inserting after the third paragraph
58 the following paragraph:-

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

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