

HOUSE No. 4557

The Commonwealth of Massachusetts

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 3199 and 3201, a Bill relative to the registration and inspection of street rods and custom vehicles (House, No. 4557). March 9, 2010.

FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
Joseph F. Wagner	8th Hampden

The Commonwealth of Massachusetts

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, as appearing in the 2008 Official Edition, is hereby amended by inserting, after section 2F, the following section:-

Section 2G. (a) Notwithstanding any general or special law, rule or regulation to the contrary, the issuance of certificates of registration and number plates for street rods, replicas, specially constructed and custom vehicles shall be in accordance with this section.

(b) For purposes of this section, and sections 7DD and 33 of this chapter, the following words shall have the following meanings:

“Custom Vehicle,” a motor vehicle for which the year of manufacture is after 1948 and for which the model year is at least 25 years old and which has been altered from the manufacturers original design, or has a body constructed from non-original materials.

“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 that has an exterior that 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.

(c) Replica vehicles shall be titled as the year, make, and model of the vehicle intended to be replicated. A label of "Replica" shall be applied to the title and registration card. The model year of a custom vehicle and street rod vehicle shall continue to be recognized as the manufacturer's assigned model year. 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.

(d) Applications for the registration of a street rod, replica, specially constructed or custom vehicle shall be made by the owner thereof. The application shall contain, in addition to such other particulars as may be required by the registrar, a statement of the name, place of residence and address, date of birth of the applicant and the number of the applicant’s license to operate, if one has been issued. The application shall also contain the apartment number or unit number if the applicant’s address is in an apartment house, or family hotel, or a condominium, or a residential flat, or in a combined business and residential property. The application shall also contain a brief description of the street rod, replica, specially constructed or custom vehicle, including the name of the maker, such number or numbers as may be required by the registrar to properly identify the vehicle, the character of the motor power and the type of transmission. The application also shall contain a statement by the applicant under the penalties of perjury that (1) there are no outstanding excise tax liabilities on said motor vehicle which have been incurred by the applicant, any member of his immediate family who is a member of the applicant’s household, or any business partner of the applicant, (2) the motor vehicle shall be maintained for occasional transportation, exhibitions, club activities, parades, tours and similar uses, and (3) the motor vehicle will not be used for general daily transportation. The application shall be accompanied by a certificate, in such form as might be acceptable to the registrar, that the street rod, replica, specially constructed or custom vehicle has passed a safety inspection approved by the registrar. Applicants for registration shall also comply with the provisions of chapter 90D. The registrar or his duly authorized agent shall register in a book or upon suitable index cards to be kept for the purpose the motor vehicle described in the application, giving to the vehicle a distinguishing mark or number to be known as the register number for that vehicle, and shall thereupon issue to the applicant a certificate of registration. The certificate shall contain the name, place of residence and address of the applicant and the register number or mark, and shall be in such form and contain such further information as the registrar may determine.

(e) Street rods and custom vehicles registered pursuant to this section shall be exempt from section 142M of chapter 111 or the rules and regulations made pursuant thereto. Specially constructed vehicles and replica vehicles registered on or prior to June 30, 2011 shall be exempt from Section 142M of Chapter 111 or the rules and regulations made pursuant thereto. Specially constructed vehicles and replica vehicles registered after June 30, 2011 shall be subject to the emission control requirements based on the model year and configuration of the engine installed in the vehicle or contain a rebuilt or aftermarket crate engine together with related powertrain components designed to meet emission requirements applicable to non-exempted specially constructed vehicles in California.

SECTION 2. Section 33 of chapter 90 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:

(37) For the registration of every street rod, replica, reconstructed or custom vehicle, as defined in section 2G of this chapter.