

RPM Act of 2017

The Recognizing the Protection of Motorsports Act (RPM Act) of 2017 is a bipartisan bill in the U.S. Congress, which clarifies that it is legal to manufacture, sell, distribute and install race parts that modify the emissions system of a motor vehicle that is converted for race-use-only. The RPM Act of 2017 was reintroduced at the beginning of the new Congress and is identical to the 2016 version of the bill.

If passed, the legislation will provide certainty to the race parts industry and help protect companies from enforcement. **The RPM Act is the only clear and permanent solution to prevent EPA overreach and safeguard our racecars well into the future.**

Issue:

Congress exempted race vehicles from regulation under the Clean Air Act in 1970. However, in 2015, the U.S. Environmental Protection Agency (EPA) asserted that it is illegal to convert a motor vehicle into a racecar if the vehicle's emissions system no longer remains in its certified configuration. The agency alleges that the Clean Air Act exemption only applies to purpose-built race vehicles (NASCAR, Formula One, sprint cars, etc.). EPA is also claiming authority over any emissions-related parts produced, sold, and installed on motor vehicles converted for racing.

Vehicles and parts covered:

The EPA's new interpretation of the law affects any racing vehicle that started its life as a car or truck produced since 1968 or a motorcycle produced since 1978, the years when federal emissions standards first took effect. These are vehicles used solely for racing but that no longer remain in their emissions-certified configuration. The EPA's new oversight covers any emissions-related component, which includes changes to engines, engine control modules, intakes, exhaust systems and more.

Impact:

The EPA's interpretation will have a devastating impact on motorsports since many types of racing rely on production vehicles that have been modified for use strictly at the track. It will also decimate the industry that supplies the products used in motorsports. Retail sales of racing products make up a \$1.4 billion annual market. Without clarifying legislation, many legitimate racing products may no longer be developed and sold, and businesses may no longer be willing to modify race vehicles as a result of the threat of civil penalties.

Enforcement Authority:

The EPA already has authority to enforce against anyone who offers, sells or installs products that will knowingly take a highway vehicle out-of-compliance.

New Interpretation:

The Clean Air Act was enacted 46 years ago, and SEMA is unaware of a single instance in which the EPA previously took the position that the law applies to motor vehicles converted for race-use-only purposes. Before the EPA announced its new interpretation in 2015, industry had a clear understanding that these vehicles are excluded from the Clean Air Act.