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California bill could spell trouble for entire country

The EPA label requirement is a manufacturing requirement only, and nothing in Title 40 prohibits the end user from removing the label. Yet, California SB 435 seems to place the burden on the consumer for having and maintaining the EPA label. That becomes even more ironic in light of a new development concerning ATV's. The EPA on July 1, 2010, withdrew permission to import and sell up to 200,000 ATV's manufactured in China because they may not meet clean-air standards in this country. But if you already have one of the questionable ATV's, according to EPA spokeswoman Cathy Milbourn, "A consumer who owns a model that was covered by these voided certificates is not responsible for these companies' wrongdoing and can continue to use the vehicle."

It appears the consumer is not penalized for a potential air polluting ATV, but motorcyclists in California face being fined for not having a manufacturer required muffler label. Is this fair treatment or a double standard?

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