

### MRF DEVELOPING IN-DEPTH ANALYSIS OF EPA MOTORCYCLE EMISSIONS REGULATION

Led by the Motorcycle Riders Foundation (MRF) and State Motorcyclists' Rights Organizations (SMROs), motorcycle riders saw the results of a three-year effort to influence the rulemaking process when the Environmental Protection Agency (EPA) released its final rule on street motorcycle emissions December 23. The final rule is complex, the results are mixed, and with the promise of still another rulemaking in 2006 the battle is far from over.

#### MAJOR ACCOMPLISHMENTS

1. Postponement of small-volume-maker compliance with Tier I (not 2006 as required of major manufacturers, but 2008) and exemption from Tier II (required of major manufacturers in 2010);
2. A measure of compliance flexibility for some impacted businesses;
3. Additional restrictions (e.g., retrofitting, anti-tampering devices) avoided; and
4. Definition of small-volume makers (as those making less than 3000 units annually) maintained.

#### CONCERNS:

##### REGULATING ENGINE MAKERS?

In the final rule, the EPA stated its intention to "pursue development of a program that would apply emission standards to motorcycle engine manufacturers." This is a major regulatory development we are continuing to evaluate. Certainly, it will increase costs to engine makers and their customers. It may drive down the number of engines available or engine makers in business, causing a chilling effect on the rider/consumer marketplace.

##### ONE DREAM BIKE...IN A LIFETIME?

The EPA issued "two special exemptions" which adversely impact independent shops and the aftermarket:

First, the agency exempts from emissions certification "elaborate custom motorcycles...created for display by collectors." The exemption, however, does not address "elaborate custom motorcycles...created" for riding by riders.

Second, the agency exempts bikes produced "by any person building a motorcycle from a kit for individual use...This provision is limited to one motorcycle per individual over the life of the provision." The exemption applies to the owner of the kit, not an independent shop: "Parties or businesses who purchase kit motorcycles for assembly and retail sale are not covered by this exemption."

##### 2006: THE ALL-IMPORTANT YEAR

The MRF is preparing for a separate and equally important rulemaking on highway motorcycles slated for 2006. The small-volume maker exemption and other provisions in the "final" rule will be on the table in 2006 when the EPA participates in the California Air Resources Board's "technology progress review."


##### THE FUTURE

**In the future**, SMROs will play a key role when the MRF-SMRO team: Advocates on behalf of motorcycling small businesses as well as rider freedom; Continues to advocate for creation of a new category of special construction custom motorcycle makers to protect independent shops that manufacture less than 100 motorcycles per year; Continues to advocate for an annual production figure more than 3000 as the definition of small-volume makers; Continues to advocate for greater compliance flexibility for aftermarket makers of "kit bikes" and those who assemble them; and Advocates for the strengthening of the Small Business Regulatory Enhancement Fairness Act of 1996 (SBREFA) and better SBREFA compliance by federal agencies. [www.mrf.org](http://www.mrf.org)

**SENATOR CAMPBELL EXPRESSES CONCERNS TO NHTSA** U.S. Senator Ben Nighthorse Campbell of Colorado, a longtime motorcyclist and champion of bikers' rights, has sent a letter to the National Highway Traffic Safety Administration expressing concern over NHTSA's recent actions in regards to motorcycling issues. In particular, Campbell's December 10 letter is critical of the federal agency's attempt to promote helmet laws through the United Nations, and the rewarding of a contract to complete a study of "Characteristics of Motorcycle Operators" which was improperly awarded six months prior to a public comment period requesting input on the study. Campbell is one of several lawmakers who serve on the National Coalition of Motorcyclists Legislative Task Force (NCOM-LTF), and he has always stepped up to bat on important issues affecting America's motorcycle riders.

**EASY RIDER GETS STAR** Peter Fonda, who directed and co-starred in the iconic 1969 Academy Award-nominated biker flic "Easy Rider," received the 2,241st Star on the famous Hollywood Walk of Fame on October 22, following in his famous father's footsteps and hoping to carry on his legacy. He is the son of Henry Fonda, who died in 1982, and the brother of Jane Fonda - both Oscar winners. His daughter is actress Bridget Fonda and his son Justin Fonda is a cameraman who worked on such films as "Vertical Limit" and "The Last Ride." "This is great for me to be able to join my father," Fonda said at the ceremony. "I certainly hope my daughter and my son can join me soon." Fonda's star is located on Hollywood Boulevard in front of the historic Roosevelt Hotel, while his father's star is on Vine Street. As for rumors of an Easy Rider sequel, the 64-year old Fonda recently was quoted as saying, "I've got maybe one more motorcycle movie in me."

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EDITOR@FREERIDERSPRESS.US  
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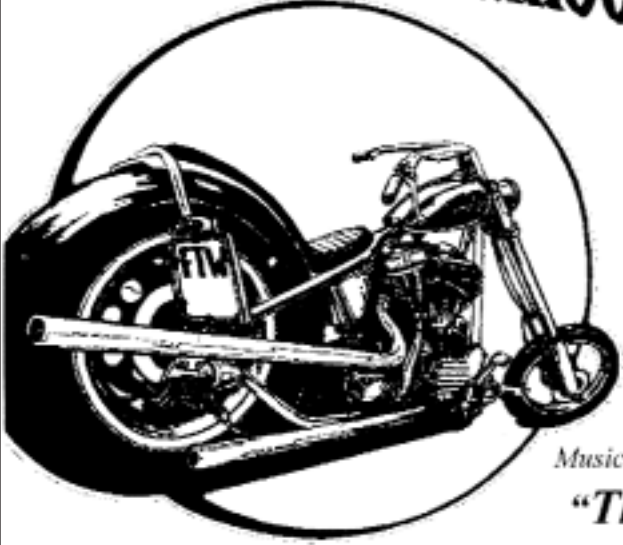
**Saturday, March 27, 2004**

**Party 7:00 pm - ?**

• Drawing at 9:00 pm  
• \$10/person - \$15/couple

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