



MOTORCYCLE RIDERS FOUNDATION

WASHINGTON, DC

Protecting Your Rights in our Nation's Capital

Many of you know "Chubby" from ABATE. He will be sending in articles and stories monthly. Figuring biker rights is what they do, let the experts tell you about it.

We have been bringing you stories on the EPA for along time. But do you really understand what all the mumble jumble is about. Well now you do. Enjoy!

EPA for the Layman

The Motorcycle Riders Foundation's (MRF) Review of the EPA's Emissions Regulations for Highway Motorcycles for 49 States (except California) issued in December, 2003 In December of 2000, the Motorcycle Riders Foundation (MRF) learned that the United States Environmental Protection Agency (EPA) was proposing California-style emissions standards for the rest of the country for all motorcycles, street and off-road models, in a single rulemaking process. The MRF, working with our Supporting State Motorcyclists' Rights Organizations (SMROs), was instrumental in having street motorcycles removed from that process in September, 2001 and placed into a separate EPA "proposed rule." The MRF and SMROs continued to work diligently to impact the final rule through the comment period and into the rule approval process. For a complete chronological review of the many steps taken by the MRF, visit our website at www.mrf.org/epa.php.

The EPA issued their final emissions regulations for highway motorcycles for 49 states on December 23, 2003. These new regulations will become effective in stages, starting in 2006 and harmonizing with California's standards in 2010. You can view the entire 49-page EPA rule by visiting their website at <http://www.epa.gov/fedrgstr/EPA-AIR/2004/January/Day-15/a006.pdf>. While this new rule dramatically reduces tail pipe emissions, there are some exemptions written into it for kit bikes, custom motorcycles, and small volume makers.

The MRF does not believe that the exemptions are broad enough or that the rules, as written, fulfill the needs of highway motorcyclists, the small volume makers and the aftermarket. We fully intend to continue to work for revision of some parts of the rules.

Here we present some of the most frequently asked questions from street riders and an explanation of what the rules will mean to you. This explanation does not apply to California.

What will this new EPA rule mean to me?

If you are going to buy a new motorcycle at your local dealer, the only things you may notice are that by the 2006 model year, most motorcycles will come with fuel injection and will require special diagnostic tools for service work. Some may have catalytic converters in the exhaust pipes. Both are in use in some models already. There has been no change to the "anti-tampering" provision of the Clean Air Act.

How will this rule affect the motorcycles I already own?

These new EPA regulations only apply to motorcycles built for 2006 and later. You will not be required to retrofit your current motorcycles to make them comply with the new rules.

Can I modify the engine or exhaust on my 2006 or later motorcycle?

The new EPA rule contains the same language that the old rule contained about this subject – modifying your motorcycle's engine or exhaust is considered "tampering." The Clean Air Act, Section 203(a) states that it is illegal, "for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser or after such sale and delivery to the ultimate purchaser."

Can I still build my own custom motorcycle?

Starting in 2006, it will be legal for you to build your own custom motorcycle. In the new EPA rules this is called a "kit bike" and it will not have to be tested to verify that it conforms to the new emissions standards. There are, however, some very specific rules that will apply to your kit bike.

You are only allowed one emissions-exempt kit bike in your lifetime.

You may not sell your once-in-a-lifetime emissions-exempt kit bike for five years after its final assembly.

You may have someone else assemble your kit bike for you as long as you have purchased the components prior to the start of the assembly.

You cannot build your kit bike by modifying a factory-built motorcycle that was certified to meet EPA emissions standards.

You must start with a new engine and frame.

Under the existing rule, all kit bikes are supposed to be tested and certified to meet the 1979 EPA rules.

An EPA-exempt kit bike can be used on the road without any travel restrictions.

Continued December '05 issue

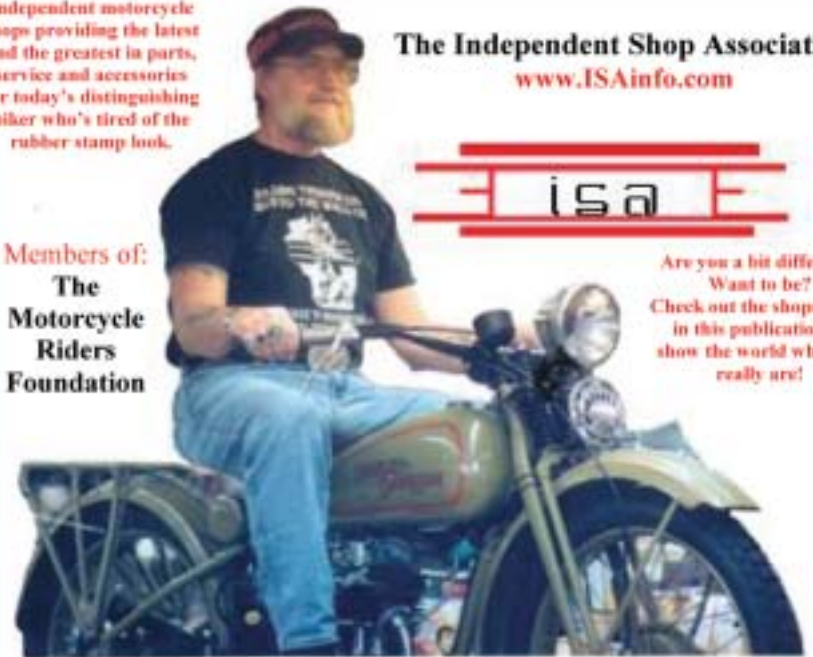
Any Questions or comments, feel free to send them to "Chubby" at pubrel@abatewis.org

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Bikers in Tasmania, Australia successfully lobbied against a proposed \$15-a-year levy to motorcycle licenses to fund a government sponsored safety campaign. The State Government's controversial push to introduce the levy on motorcyclists to fund a safety program failed in the Legislative Council, due largely to objections raised by the motorcycle community. Nine Independent MLCs voted against the legislation that they argued discriminated against motorcyclists and would set a dangerous user-pays precedent to the State. The Tasmanian Motorcycle Council led a strong lobby against the proposed law and said that motorcyclists should not have to pay for the strategy's administration, arguing that it was inappropriate that \$405,000 of levy funds would go to cover administrative costs. The leader of the Government in the Upper House, Michael Aird, said that the Tasmanian Motorcycle Safety Strategy 2005-06 would now have to be abandoned. Tasmanian Greens infrastructure spokesman Kim Booth congratulated the motorcycle council on its demand for equality in road safety training. "The responsibility is now back on the Labor Government to ensure that the necessary road safety training is still made available," he said. State Opposition leader Rene Hidding said that the defeat of the bill showed the Government had failed to adequately consult the motorcycle community.