

April 21, 2016 **Congratulations** to [SEMA Action Network \(SAN\)](#)

and the many other groups including the (NAACC) National Association of Automobile Clubs of Canada [www.naacc.ca](#) for voicing their strong concerns to government about the EPA wording dealing with racecars.

Success: EPA Backs Down From Rules That Threatened Converting Road Cars to Race Cars

Written by Phillip Thomas on April 18, 2016

The EPA has responded to criticism that it hid proposed rules that could make the conversion of road cars into competition-only race cars illegal.



Friday, April 15, 2016, the Environmental Protection Agency (EPA) announced that it would remove wording that would ban the modification or removal of certified emissions equipment on a road vehicle that was being converted into a race car.

This is a big win for racers and the aftermarket industry; while the EPA contends that the rules would never be used against the motorsport industry, leaving any opportunities to enforce a ban would be a mistake on our collective part.

“[The] EPA supports motorsports and its contributions to the American economy and communities all across the country. EPA’s focus is not on vehicles built or used exclusively for racing, but on companies that don’t play by the rules and that make and sell products that disable pollution controls on motor vehicles used on public roads. These unlawful defeat devices pump dangerous and illegal pollution into the air we breathe,” said the agency in a statement. “The proposed language in the July 2015 proposal was never intended to represent any change in the law or in EPA’s policies or practices towards dedicated competition vehicles. Since our attempt to clarify led to confusion, EPA has decided to eliminate the proposed language from the final rule.”

Earlier this year, we told you about the proposed rules that the EPA tucked into a 600-page rules update to the Medium- and Heavy-Duty vehicle emissions rules that could threaten to outlaw the conversion of emissions-certified, street-legal vehicles into dedicated race cars. SEMA began submitting comments on the issue in 2015 and gave notice earlier this year.

In a motorsport environment, EPA-certified/factory computers and emissions equipment are not capable of operating in the conditions we need them to. They are often replaced by non-EPA-certified equipment, like aftermarket ECUs, exhaust systems, and forced-induction systems, among other things.

In response, legislators introduced the H.R. 4715, titled the “Recognizing the Protection of Motorsports (RPM) Act of 2016,” which seeks to separate competition-only race cars from EPA legislation aimed to regulate production vehicles. The bill is supported by U.S. Representatives Patrick McHenry (NC), Henry Cuellar (TX), Richard Hudson (NC), Bill Posey (FL), and Lee Zeldin (NY). The RPM Act seeks to specifically curtail the EPA’s reach into motorsport, where historically the line has been drawn by precedent in congressional hearings—not law.

On April 12, 2016, Energy and Commerce Committee Chairman Fred Upton (MI), Energy and Power Subcommittee Chairman Ed Whitfield (KY), and Rep. Richard Hudson (NC) submitted a letter to EPA Administrator Gina McCarthy, stating, “In the 46 years since the enactment of the 1970 Clean Air Act, EPA took no enforcement action with regard to EPA-certified vehicles modified solely for racing, and it was widely accepted that these vehicles were exempted from statute’s anti-tampering provisions.”

The letter to McCarthy would go on to address the EPA’s delivery of the regulation, which was hidden in the unrelated, 600-page “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles” rules.

While we still need support for the RPM Act, this stands as an excellent example of what you can do to help protect the hobby, jobs, and industry of motorsport.