

DON'T BELIEVE IT, PART II

If what appears below seems awfully familiar, it should, I bring this to your attention again, because it appears that this automotive "Urban Legend" refuses to die. In a recent issue of a magazine, published for Mopar enthusiasts, the same story I had, via David Traver Adolphus' story, debunked, reared its ugly head again. All I can say, is please read what Mr. Adolphus so kindly sent me, when I asked him about the validity of this PA automotive "Urban Legend", and then let me add- DON'T BELIEVE IT! This "Urban Legend" was not true in September, it still isn't true, and unless the PA D.O.T. tells us differently, the horror story about PA older vehicle registration and titling, is FALSE!

Sorry for the delay: Following is the multi-part text from the E-Weekly this summer--but here's the only part that matters:

Title 67, Chapter 177 (§ 177.101 (b)) of the Pennsylvania Code specifically exempts the following from emissions testing:

"(4) Classic, antique or collectible motor vehicles. [A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications. (025 Pa. Code § 121.1.)]

(5) Motorcycles.

(6) Motorized pedalcycles.

(7) Street rods."

Antique vehicles are even exempted from safety inspections, as well (067 Pa. Code § 175.4).

I never heard from anyone contradicting this, and was really hoping I'd killed this one. I guess not.

PART I

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Legislation

Enhanced Inspection urban legend resurfaces

Here's the automotive legislation equivalent of an urban legend. The following frightening message is excerpted from a posting on the Hemmings Motor News Forums last week:

"HOT RODDERS NEED TO READ: YOUR D.O.T. IS UP TO NO GOOD. No matter where you live, your right to own and customize a car is in serious jeopardy. Since I live in PA, I will use that state to explain what's going on, but make NO mistake, it will happen in your state, too. In January 2007, PENNDOT implemented a new 'ENHANCED VEHICLE INSPECTION PROGRAM' known as EVIP. This program was enacted and developed without any public exposure, debate, input, or knowledge, just like the insidious midnight pay raise that they tried to foist upon us... Basically, PENNDOT began to develop a program to regulate and identify problem cars, like reconstructions, flood-damaged vehicles, etc. Unfortunately, as with everything the state decides to stick its nose into, it went awry, and some brilliant idiot decided to include any and all cars that are not 100 percent stock. Here's how it goes: Once the plan gets fully implemented, there will be a network of special inspection stations across the state, and you will have to take your custom, collector, hot rod, street rod, etc. (Or ANY vehicle tagged by a State Trooper as not being 100 stock) to one of these stations for inspection. Inspections may range in

price from \$100 up to \$500, but that is still unknown. IF your car passes inspection, you will be issued (and have to pay for) a new title, and the specifics of your vehicle will be entered into the database....A state trooper may pull you over at any time, even if you are legally licensed, inspected, etc. , and doing absolutely nothing wrong. He will then print out a list of specifics from the database and compare them to your vehicle. If ANYTHING has changed on your vehicle, he will fine you, declare that your title is invalid, and force you to go through the expensive inspection and retitling process all over again, and you will not be able to use your car until you comply. Listen to what I said. ANY CHANGE IN YOUR VEHICLE can result in a fine and costly reinspection and retitling. So that means that if you change the size of your tires, put on different wheels, add air shocks, add a lift kit, add ground effects, ANYTHING, you are in trouble."

Gosh — frightening. But not true. Pennsylvania doesn't actually have something called an "ENHANCED VEHICLE INSPECTION PROGRAM." Since June of 2004, though, it has had an "Enhanced Vehicle Emissions Inspection Program," which was developed at the behest of the EPA to address PA's horrible air quality. What that entails is a set of emissions testing protocols, which differ from region to region, depending on the air quality in that part of the state.

In fact, Title 67, Chapter 177 (§ 177.101 (b)) of the Pennsylvania Code specifically exempts the following from emissions testing:

"(4) Classic, antique or collectible motor vehicles. [A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications. (025 Pa. Code § 121.1.)]

(5) Motorcycles.

(6) Motorized pedalcycles.

(7) Street rods."

Antique vehicles are even exempted from safety inspections, as well (067 Pa. Code § 175.4).

Visit www.pacode.com for the statutes, and www.drivecleanpa.state.pa.us for more information on the Enhanced Vehicle Emissions Inspection Program.

- By David Traver Adolphus

PART II

Legislation

Digging up bones

Last week, we reported on a frightening tale that's been circulating about Pennsylvania's Enhanced Vehicle Inspection Program. When we reported that we couldn't find any information about it, either in the archives of the Pennsylvania DOT or state statutes, a number of readers encouraged us to keep looking. Tom said, "It takes a bunch of digging and calls to the enhanced inspectors to see what is actually involved, and it is not simple." Violet told us, "It's gonna be like the TUV in Germany; don't believe me?? Just wait, you'll see. Actually ALL vehicles must now go to specific inspection stations to make sure they are what they're registered to be."

Well, we've been digging, and we maintain that there is no such scheme. Yes, there is an Enhanced Vehicle Inspection Program, but it's not a new inspection regime; rather, it's a set of criteria for the stations that are allowed to perform inspections on "reconstructed, specially constructed and modified vehicles. "

But clearly, the Commonwealth of Pennsylvania is aware of these rumors, and has published a Q&A to address them. You can (and should) read it yourself at <http://www.senatormadigan.com/PDF/Reconstructed-Vehicle.pdf>, (that's Penn. State Senator Roger A. Madigan, chair of the Transportation Committee), but their

summary says that only three things changed as a result of the new process: “The application for titling a reconstructed, specially constructed, flood, recovered theft, modified, collectible vehicle or street rod was shortened to make it easier to complete. Where the vehicles can be inspected — the limited number of stations under contract helps assure that there is consistency. Where the applications can be processed — by allowing on-line agents in the field to process the applications, the time before the vehicle owner can operate his vehicle has been substantially reduced.”

They specifically deny the existence of any database, liability clause, or any change in law enforcement duties.

In addition, we turned up an “Antique and Classic Vehicles Fact Sheet,” which states: “Classic vehicles are subject to an annual vehicle safety inspection. Antique vehicles operated exclusively between sunrise and sunset are exempt from the normal lighting requirements of the Pennsylvania Vehicle Code but must have their original lighting equipment. Antique vehicles are not subject to the annual vehicle safety inspection. Antique and classic vehicles are not subject to emissions inspection.”

The difference between “Antique” and “Classic?” According to the Fact Sheet, a “Classic Motor Vehicle” is: “A motor vehicle, but not a reproduction thereof, manufactured at least 15 years prior to the current year, which has been maintained in or restored to a condition which is substantially in conformity with manufacturer specifications and appearance.” An “Antique Motor Vehicle” is, “A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year, which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications.”

As far as we know, 75 Pa. C. S. § 4101 -4982 is still in force, which exempts antique vehicles from inspection. If you can point us to something concrete that spells out the disastrous scenario we profiled last week, we’d be grateful. But until then, we’re calling this one done.

- By David Traver Adolphus\

My thanks once again to Mr. Adolphus, and now, may this “Urban Legend” rest in peace.