

TEXAS UPDATE

& A LITTLE BIT OF ADVICE

It's been eerily quiet for some time now on the automotive related legislative front, hence nothing in the way of articles from your truly. However, one bit of activity that has surfaced, care of SEMA-SAN (Specialty Equipment Market Association-SEMA Action Network), is this little item appearing below. Thankfully, after this long legislative drought, the information coming forth from Texas, is good news.

Texas Two-Step

Street Rod and Custom Vehicle Bill Becomes Law in the Lone Star State

After an effort that stretched into two legislative sessions, SEMA-model legislation to create a vehicle registration classification for street rods and custom vehicles, including kit cars and replicas, and provide for special license plates was approved by the Texas State Legislature and signed into law by Governor Rick Perry.

Slated to go into effect on September 1, 2011, the new law defines a street rod as an altered vehicle manufactured before 1949 and a custom as an altered vehicle at least 25 years old and manufactured after 1948. The law also allows for the use of non-original materials and creates a titling and registration criterion that assigns these vehicles the same model-year designation as the production vehicle they most closely resemble. In addition, the law only holds street rods, customs and replicas to the equipment standards specified by law during the model year listed on the title of the vehicle and exempts them from emissions inspections. Certificates of title for replica vehicles will include the word 'replica'. "The bill was passed during this session because of the hard work of all Texas automotive enthusiasts and will

help us with a simple and uniform method to title and register the cars built in this state," explained Texas SAN member John Crisler, who worked diligently to support the measure.

Texas joins California (2001), Illinois (2002), Missouri (2004), Rhode Island (2004), Hawaii (2004), Montana (2005), Maine (2005), Colorado (2006), Arkansas (2007), Virginia (2007), Nevada (2007) Florida (2007), Idaho (2008), Iowa (2008), Tennessee (2008), Wyoming (2009), Utah (2009), North Carolina (2009), Massachusetts (2010) and Washington state (2011) as states that have enacted similar bills into law.

The new law is the product of two legislative sessions. In 2009, identical legislation that was approved in committee did not receive a vote by the full Texas House of Representatives before the legislators adjourned for the year.

"After the disappointment we experienced in 2009, it is extremely gratifying that the Texas legislature was ultimately persuaded to enact legislation recognizing the unique nature of these vehicles as hobbyist cars," said SEMA Vice President of Government Affairs Steve McDonald. "For the hundreds of vehicle enthusiasts in Texas that supported this bill, building, maintaining and enjoying these unique creations is a favorite pastime. This law represents an opportunity to acknowledge their commitment to the hobby and to protect it for future generations." The model bill will continue to be pursued by SEMA in states that either don't have registration classifications for these vehicles or have laws that are lacking in some way. SEMA efforts are ongoing this year to work with the state legislatures in New York and New Jersey on this initiative and to add others to that list in the coming legislative sessions.

On an unrelated note, a while back I had a POCI Member call me asking about what he could do in relation to a notice of violation he had received, concerning his hobby vehicles. Folks, not to be cruel here, but I cannot know the literally thousands upon thousands of local, county, and state property zoning regulations that exist, this is something each of you has to become familiar with, before you are served with a "compliance violation notice." In fact, all I can advise anyone, in a general sort of way, is that if you do get a Violation Notice, then you either have to prove you are not in violation of the ordinance quoted, which often requires hiring a Lawyer, or you have to comply,

simple as that.