



ANNIVERSARY

March 16, 2023

Senator Ben Chipman, Chair
Representative Lynne Williams, Chair
131st Legislature
Joint Standing Committee on Transportation
100 State House Station
Augusta, ME 04330

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Chairman Elect
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Re: Testimony in support of L.D. 63, An Act to Clarify That Certain Imported Motor Vehicles Are Not Off-road Vehicles

Dear Senator Chipman, Representative Williams and members of the Transportation Committee:

On behalf of the Specialty Equipment Market Association (SEMA), I am writing to express support for L.D. 63 (Rudnicki), which would allow legally imported vintage foreign market vehicles to receive a registration for on-highway use in Maine.

In 2021, the Bureau of Motor Vehicles (BMV) began sending letters to the owners of Mitsubishi Delica vans informing them that their registration had been canceled and that they were to surrender their license plates within a few weeks' time. The authority cited in the letters was 29A MRSA 354, which stipulates that off-road vehicles may not be registered for on-road use. This left vehicle owners confused and befuddled, as their vans had no problem passing BMV inspection in the previous year.

So, what changed? In 2021, the definition of off-road vehicle was amended (LD 1433) to include reference to federal safety and emissions standards. These standards were cited in BMV's letters as the reason why the vehicle in question could not be registered in Maine.

While BMV asserted in another letter to impacted vehicle owners that the 2021 bill simply clarified existing law to reflect inspection standards already in use, it made another notable change, which was to prevent off-road vehicles from being registered as an antique or another hobbyist designation.

This is problematic for two reasons.

First, federal law exempts imported vehicles, such as the Delica, that are at least 25 years old from federal safety standards and those that

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are at least 21 years old from emissions standards. Thus, holding vintage imports to federal regulations would not be appropriate.

Second, while states are not required to register such imported vehicles for use on public roads, it is noteworthy that Maine already exempts vintage vehicles from inspection. Under current law, an antique vehicle is defined as one being made after 1916 and is at least 25 years old, well maintained, and not used for primary transportation. However, the same 2021 law also amended the definition of antique vehicles to prevent offroad vehicles from being registered in such a manner.

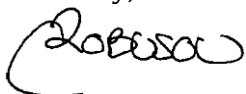
If federal law exempts vintage imported vehicles from federal emissions and safety standards and the state already provides a pathway for antiques of the same vintage to be exempt from inspection, why not imported vehicles?

Make, no mistake, SEMA is not advocating that unsafe vehicles be allowed on Maine's roads. However, simply because a vehicle was imported from another country, it should not be automatically classified as an off-road vehicle. LD 63 is a commonsense solution to this problem and SEMA respectfully requests your support.

Representing the \$51 billion specialty automotive industry, SEMA is a trade association made up of approximately 7,000 mostly small businesses nationwide, including 18 in Maine. These companies manufacture, market, and sell specialty automotive aftermarket products, including appearance, performance, comfort, convenience, and technology products for motor vehicles.

If you have any questions, or require additional information please feel free to contact me by phone at (202) 794-8279 or by e-mail at christianr@sema.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Robinson", written in a cursive style.

Christian Robinson
Senior Director, State Government Affairs & Grassroots
Specialty Equipment Market Association

Christian Robinson
Specialty Equipment Market Association
LD 63

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While BMV asserted in another letter to impacted vehicle owners that the 2021 bill simply clarified existing law to reflect inspection standards already in use, it made another notable change, which was to prevent off-road vehicles from being registered as an antique or another hobbyist designation.

This is problematic for two reasons.

First, federal law exempts imported vehicles, such as the Delica, that are at least 25 years old from federal safety standards and those that are at least 21 years old from emissions standards. Thus, holding vintage imports to federal regulations would not be appropriate.

Second, while states are not required to register such imported vehicles for use on public roads, it is noteworthy that Maine already exempts vintage vehicles from inspection. Under current law, an antique vehicle is defined as one being made after 1916 and is at least 25 years old, well maintained, and not used for primary transportation. However, the same 2021 law also amended the definition of antique vehicles to prevent offroad vehicles from being registered in such a manner.

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