

113TH CONGRESS
2D SESSION

H. R. 4013

To direct the National Highway Traffic Safety Administration to establish a program allowing low volume motor vehicle manufacturers to produce a limited number of vehicles annually within a regulatory system that addresses the unique safety and financial issues associated with limited production, and to direct the Environmental Protection Agency to allow low volume motor vehicle manufacturers to install engines from vehicles that have been issued certificates of conformity.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2014

Mr. CAMPBELL (for himself, Mr. BARROW of Georgia, and Mr. HUNTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the National Highway Traffic Safety Administration to establish a program allowing low volume motor vehicle manufacturers to produce a limited number of vehicles annually within a regulatory system that addresses the unique safety and financial issues associated with limited production, and to direct the Environmental Protection Agency to allow low volume motor vehicle manufacturers to install engines from vehicles that have been issued certificates of conformity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Low Volume Motor
3 Vehicle Manufacturers Act of 2014”.

4 **SEC. 2. EXEMPTION FROM VEHICLE SAFETY STANDARDS**
5 **FOR LOW VOLUME MANUFACTURERS.**

6 Section 30114 of title 49, United States Code, is
7 amended—

8 (1) by striking “The” and inserting “(a) VEHI-
9 CLES USED FOR PARTICULAR PURPOSES.—The”;
10 and

11 (2) by adding at the end the following new sub-
12 section:

13 “(b) EXEMPTION FOR LOW VOLUME MANUFACTUR-
14 ERS.—

15 “(1) IN GENERAL.—The Secretary shall—

16 “(A) exempt from specified standards not
17 more than 1,000 replica motor vehicles per year
18 that are manufactured or imported by a low
19 volume manufacturer;

20 “(B) exempt from specified standards not
21 more than 50 non-replica motor vehicles per
22 year that are manufactured or imported by a
23 single low volume manufacturer by requiring
24 each low volume manufacturer to have evidence
25 of a sales contract to be eligible for the exemp-
26 tion; and

1 “(C) permit a low volume manufacturer to
2 assign vehicle identification numbers.

3 “(2) CAP ON NON-REPLICA MOTOR VEHICLES
4 EXEMPTIONS.—The Secretary may not provide ex-
5 emptions for more than 1,000 non-replica motor ve-
6 hicles per year under paragraph (1)(B). The Sec-
7 retary shall provide a fair and reasonable method for
8 annually recording and publicly reporting such ex-
9 emptions.

10 “(3) EXCEPTION.—Except as provided in this
11 subsection, a low volume manufacturer shall be con-
12 sidered a motor vehicle manufacturer for purposes of
13 subtitle VI of this title.

14 “(4) REGISTRATION REQUIREMENT.—To qual-
15 ify for an exemption under paragraph (1), a low vol-
16 ume manufacturer shall register with the Secretary
17 at such time, in such manner, and under such terms
18 that the Secretary determines appropriate.

19 “(5) PERMANENT LABEL REQUIREMENT.—

20 “(A) IN GENERAL.—The Secretary shall
21 require a low volume manufacturer to affix a
22 permanent label—

23 “(i) to a motor vehicle exempted
24 under paragraph (1) that identifies the

1 specified standards from which such vehi-
2 cle is exempt; and

3 “(ii) to a replica motor vehicle ex-
4 empted under paragraph (1)(A), that des-
5 ignates the model year such vehicle rep-
6 licates.

7 “(B) WRITTEN NOTICE.—The Secretary
8 may require a low volume manufacturer of a
9 motor vehicle exempted under paragraph (1) to
10 deliver written notice of the exemption to—

11 “(i) the dealer; and

12 “(ii) the first purchaser of the motor
13 vehicle, if the first purchaser is not an in-
14 dividual that purchases the motor vehicle
15 for resale.

16 “(C) REPORTING REQUIREMENT.—A low
17 volume manufacturer shall annually submit a
18 report to the Secretary including the number
19 and description of the motor vehicles exempted
20 under paragraph (1) and a list of the exemp-
21 tions described on the label affixed under sub-
22 paragraph (A).

23 “(6) NOTIFICATION, RECALL, AND REMEDY RE-
24 QUIREMENTS.—If a motor vehicle has any defects
25 related to motor vehicle safety or any

1 nonconformities regarding any standards other than
2 specified standards, a low volume manufacturer of
3 such vehicle is subject to all notification, recall, and
4 remedy requirements set forth in sections 30116
5 through 30120A of this title.

6 “(7) DEFINITIONS.—In this subsection:

7 “(A) LOW VOLUME MANUFACTURER.—The
8 term ‘low volume manufacturer’ means a motor
9 vehicle manufacturer whose annual worldwide
10 production is not more than 5,000 motor vehi-
11 cles.

12 “(B) NON-REPLICA MOTOR VEHICLE.—The
13 term ‘non-replica motor vehicle’ means any
14 motor vehicle produced by a low volume manu-
15 facturer that is not a replica motor vehicle.

16 “(C) REPLICA MOTOR VEHICLE.—The
17 term ‘replica motor vehicle’ means a motor ve-
18 hicle produced by a low volume manufacturer
19 and that—

20 “(i) is intended to resemble the body
21 of another motor vehicle that was manu-
22 factured not less than 25 years before the
23 manufacture of the replica motor vehicle;
24 and

1 “(ii) is subject to being manufactured
2 under trademark or trade dress or design
3 patent license, if such exists, from the
4 original manufacturer or its assignee that
5 is the current owner of an active, valid,
6 and subsisting trademark registration or
7 patent as indicated in the records of the
8 United States Patent and Trademark Of-
9 fice for the non-functional and ornamental
10 portions of the motor vehicle that is in-
11 tended to be replicated.

12 “(D) SPECIFIED STANDARD.—The term
13 ‘specified standard’ means—

14 “(i) any motor vehicle standard or ob-
15 ligation described in any of sections
16 30112(a), 32304, 32502, or 32902 of this
17 title, or in section 3 of the Automobile In-
18 formation Disclosure Act (15 U.S.C.
19 1232); and

20 “(ii) does not include any standard
21 promulgated under section 30112(a) appli-
22 cable to motor vehicle equipment.”.

1 **SEC. 3. VEHICLE COMPLIANCE STANDARDS FOR LOW VOL-**
2 **UME MOTOR VEHICLE MANUFACTURERS.**

3 Part A of title II of the Clean Air Act (42 U.S.C.
4 7521 et seq.) is amended—

5 (1) in section 206(a) by adding at the end the
6 following new paragraph:

7 “(5)(A) A motor vehicle engine (including all
8 engine emission controls) from a motor vehicle that
9 has been granted a certificate of conformity by the
10 Administrator, or an engine that has been granted
11 an Executive order subject to regulations promul-
12 gated by the California Air Resources Board, may
13 be installed in an exempted specially produced motor
14 vehicle, if—

15 “(i) the manufacturer of the engine sup-
16 plies written instructions explaining how to in-
17 stall the engine and maintain functionality of
18 the engine’s emission control system and the
19 on-board diagnostic system (commonly known
20 as ‘OBD II’), except with respect to evaporative
21 emissions diagnostics;

22 “(ii) the producer of the exempted specially
23 produced motor vehicle installs the engine in ac-
24 cordance with such instructions; and

25 “(iii) the installation instructions include
26 emission control warranty information from the

1 engine manufacturer in compliance with section
2 207, including where warranty repairs can be
3 made, emission control labels to be affixed to
4 the vehicle, and the certificate of conformity
5 number for the applicable vehicle in which the
6 engine was originally intended or the applicable
7 Executive order number for the engine.

8 “(B) A motor vehicle containing an engine com-
9 pliant with the requirements of subparagraph (A)
10 shall be treated as meeting the requirements of sec-
11 tion 202 applicable to new vehicles manufactured or
12 imported in the model year in which the exempted
13 specially produced motor vehicle is assembled.

14 “(C) Engine installations that are not per-
15 formed in accordance with installation instructions
16 provided by the manufacturer and alterations to the
17 engine not in accordance with the installation in-
18 structions shall be treated as prohibited acts by the
19 installer under section 203 and subject to penalties
20 under section 205.

21 “(D) The producer of an exempted specially
22 produced motor vehicle that has an engine compliant
23 with the requirements of subparagraph (A) shall
24 provide to the purchaser of such vehicle all informa-
25 tion received by the producer from the engine manu-

1 facturer, including information regarding emissions
2 warranties from the engine manufacturer and all
3 emissions-related recalls by the engine manufacturer.

4 “(E) To qualify to install an engine under this
5 paragraph, a producer of exempted specially pro-
6 duced motor vehicles shall register with the Adminis-
7 trator at such time and in such manner as the Ad-
8 ministrator determines appropriate. The producer
9 shall submit an annual report to the Administrator
10 that includes—

11 “(i) a description of the exempted specially
12 produced motor vehicles produced and engines
13 installed in such vehicles; and

14 “(ii) the certificate of conformity number
15 issued to the motor vehicle in which the engine
16 was originally intended or the applicable Execu-
17 tive order number for the engine.

18 “(F) Exempted specially produced motor vehi-
19 cles compliant with this paragraph shall be exempted
20 from—

21 “(i) motor vehicle certification testing that
22 might otherwise be required under section 206;
23 and

1 “(ii) vehicle emission control inspection
2 and maintenance programs required under sec-
3 tion 110.

4 “(G) A producer of exempted specially produced
5 motor vehicles that is compliant with subparagraphs
6 (A) through (E) of this paragraph is not considered
7 a manufacturer for the purposes of this Act.”; and
8 (2) in section 216 by adding at the end the fol-
9 lowing new paragraph:

10 “(12) EXEMPTED SPECIALLY PRODUCED
11 MOTOR VEHICLE.—The term ‘exempted specially
12 produced motor vehicle’ means a replica motor vehi-
13 cle or non-replica motor vehicle that is exempt from
14 specified standards as defined in section 30114(b) of
15 title 49, United States Code.”.

16 **SEC. 4. IMPLEMENTATION.**

17 Not later than 12 months after the date of the enact-
18 ment of this Act, the Secretary of Transportation and the
19 Administrator of the Environmental Protection Agency
20 shall issue such regulations as may be necessary to imple-
21 ment sections 2 and 3 of this Act, respectively.

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