

114TH CONGRESS  
2D SESSION

# H. R. 4715

To exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2016

Mr. MCHENRY (for himself, Mr. HUDSON, Mr. ZELDIN, Mr. POSEY, and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recognizing the Pro-  
5 tection of Motorsports Act of 2016” or the “RPM Act of  
6 2016”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds that—

9 (1) at the time the Clean Air Act was written,  
10 and each time the Clean Air Act has been amended,

1 the intent of Congress has been, and continues to  
2 be, that vehicles manufactured for, modified for, or  
3 utilized in organized motorized racing events would  
4 not be encompassed by the Clean Air Act’s definition  
5 of “motor vehicle”;

6 (2) when Congress sought to regulate nonroad  
7 vehicles in 1990, it explicitly excluded from the defi-  
8 nition of “nonroad vehicle” any vehicle used solely  
9 for competition;

10 (3) despite the clear intent of Congress, the En-  
11 vironmental Protection Agency has cited the Clean  
12 Air Act as authority for regulating vehicles used  
13 solely for competition; and

14 (4) the Environmental Protection Agency has  
15 exceeded its statutory authority in its recent actions  
16 to regulate vehicles used solely for competition.

17 **SEC. 3. EXCLUSION OF VEHICLES USED SOLELY FOR COM-**  
18 **PETITION FROM THE ANTI-TAMPERING PRO-**  
19 **VISIONS OF THE CLEAN AIR ACT.**

20 Section 203 of the Clean Air Act (42 U.S.C. 7522)  
21 is amended by adding at the end of subsection (a) the fol-  
22 lowing: “No action with respect to any device or element  
23 of design referred to in paragraph (3) shall be treated as  
24 a prohibited act under that paragraph if the action is for

1 the purpose of modifying a motor vehicle into a vehicle  
2 to be used solely for competition.”.

3 **SEC. 4. EXCLUSION OF VEHICLES USED SOLELY FOR COM-**  
4 **PETITION FROM THE DEFINITION OF MOTOR**  
5 **VEHICLE IN THE CLEAN AIR ACT.**

6 Section 216 of the Clean Air Act (42 U.S.C. 7550)  
7 is amended by striking “.” at the end of paragraph (2)  
8 and inserting “and that is not a vehicle used solely for  
9 competition, including any vehicle so used that was con-  
10 verted from a motor vehicle.”.

11 **SEC. 5. IMPLEMENTATION.**

12 Not later than 12 months after the date of enactment  
13 of this Act, the Administrator of the Environmental Pro-  
14 tection Agency shall finalize any regulations necessary to  
15 implement the amendments made by this Act.

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