

115TH CONGRESS
1ST SESSION

H. R. 350

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2017

Mr. MCHENRY (for himself, Mr. ABRAHAM, Mr. BOST, Mr. BUCSHON, Mr. BURGESS, Mr. CARTER of Georgia, Mr. CRAMER, Ms. FOXX, Mr. GOSAR, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HUDSON, Mr. HUIZENGA, Mr. JONES, Mr. LAMALFA, Mr. LOUDERMILK, Mr. MOOLENAAR, Mr. MULLIN, Mr. PITTENGER, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. RYAN of Ohio, Mr. WALBERG, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WESTERMAN, Mr. MCCLINTOCK, Mr. ZELDIN, Mr. NOLAN, Mr. HOLDING, Mr. BROOKS of Alabama, Mr. COOK, Mr. EMMER, Mr. RENACCI, Mr. COOPER, Mr. CUELLAR, Mr. LONG, Mr. SENSENBRENNER, Mr. BRAT, Mrs. WAGNER, Mr. TIBERI, Ms. JENKINS of Kansas, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Recognizing the Pro-
3 tection of Motorsports Act of 2017” or the “RPM Act of
4 2017”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds that—

7 (1) at the time the Clean Air Act was written,
8 and each time the Clean Air Act has been amended,
9 the intent of Congress has been, and continues to
10 be, that vehicles manufactured for, modified for, or
11 utilized in organized motorized racing events would
12 not be encompassed by the Clean Air Act’s definition
13 of “motor vehicle”;

14 (2) when Congress sought to regulate nonroad
15 vehicles in 1990, it explicitly excluded from the defi-
16 nition of “nonroad vehicle” any vehicle used solely
17 for competition;

18 (3) despite the clear intent of Congress, the En-
19 vironmental Protection Agency has cited the Clean
20 Air Act as authority for regulating vehicles used
21 solely for competition; and

22 (4) the Environmental Protection Agency has
23 exceeded its statutory authority in its recent actions
24 to regulate vehicles used solely for competition.

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

4 Section 203 of the Clean Air Act (42 U.S.C. 7522)
5 is amended by adding at the end of subsection (a) the fol-
6 lowing: “No action with respect to any device or element
7 of design referred to in paragraph (3) shall be treated as
8 a prohibited act under that paragraph if the action is for
9 the purpose of modifying a motor vehicle into a vehicle
10 to be used solely for competition.”.

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

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

19 **SEC. 5. IMPLEMENTATION.**

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

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