



**SENATOR SHANNON GROVE**  
**SENATE DISTRICT 12**

**SB 712**

**Smog Check Exemption for Classic Cars**

**SUMMARY**

SB 712, also known as “Leno’s Law,” offers a practical solution for owners of collector vehicles that have difficulty complying with the state’s smog check law. Leno’s Law is sponsored by renowned car enthusiast and television icon Jay Leno. The bill would exempt, on an ongoing basis, collector cars whose model year is 35 years or older from the state’s smog check law. The bill would also exempt classic cars from the smog check program upon transfer of a vehicle. These classic cars are infrequently driven, carefully maintained, and make up only a fraction of cars on the road. They are typically owned for their historical significance and collector value. Exempting them from the biennial smog check would strengthen California’s “car culture” by helping preserve these historical treasures.

**EXISTING LAW**

Currently, the California smog check program requires inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Prior to the proliferation of OBDII (On-Board Diagnostics 2) protocols in model year 1996 and newer vehicles, emissions equipment involved complex, and now mostly antiquated, systems. Currently, any vehicle that is insured as a collector motor vehicle and whose manufacture year is 1975 or earlier, is also exempt from specified portions of the smog test. But, these cars must meet the vehicle’s emissions standards and pass a functional and visual inspection for fuel cap and liquid fuel leaks respectively. Under Vehicle Code Section 4000.1, vehicles post 1976 are required to meet emissions requirements upon transfer of ownership and registration.

**PROBLEM**

As vehicles in the model year 1976-1990 segment have aged, continued maintenance of these older emissions systems has become very costly and labor intensive. Many of these older vehicles are rarely driven and are typically owned as 'collector' or 'enthusiast' cars. Continuing to mandate that owners of 1976-1990 vehicles which maintain outdated, complex emissions systems, is an overreach by the government. It targets a small group of people without providing any significant benefit or detriment to overall air quality in the state. In most other states, vehicles over 25 years old, considered classic cars, are exempt from smog

checks. The current regulations make it more expensive to own and operate a 1976-1990 vehicle in California, especially for those car enthusiasts that own multiple classic cars. The smog check requirement upon transfer of these cars not only costs valuable time and money but can be especially devastating if the car fails the smog check and becomes unusable. Additionally, California is home to one of the largest aftermarket car industries in the country. This requirement creates a significant barrier for conducting business in California.

**SOLUTION**

The California DMV estimates that cars older than 35 years represent a very small subset of the registered vehicle population, about 1%, and even fewer of those would be insured as collector vehicles. Exempting these rarely driven cars would have a minimal impact on local air quality. The collector’s value of classic cars would mean that car owners drive these vehicles with significantly less miles. The rolling exemption, instead of a fixed date, will make it easier to accommodate changing interests in collectable model years.

Unlike your typical daily driver, classic cars are often used for display purposes that reflect the historical significance, displaying unique engineering, and the cultural value that these vehicles bring. By exempting cars that are 35 model years or earlier, vehicles registered as classic cars would be exempt from burdensome smog inspections. By removing the smog check requirement upon transfer of ownership, it allows more people to engage in this unique car culture. From lowriders, cruisers, and muscle cars, many diverse groups of people enjoy expressing themselves through collector cars. SB 712 will help ensure that all individuals are able to participate in car culture and is a common sense measure to achieve affordability in the State of California.

**SPONSOR:**

Jay Leno

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