



SPMV Overview

10/26/23



ACS Advantage

ACS consultants have been engaged with the specialty produced motor vehicle (SPMV) regulations since their inception. They spoke on behalf of industry to lobby for friendlier language in the rules were the first to represent clients in the application process and represents the majority of companies pursuing certification today.

<https://www.automotivecs.com>



Background

On Dec. 4, 2015, lawmakers in Washington, DC signed the FAST Act (H.R. 22-409), including legislation that allows low volume manufacturers to produce turn-key, replica automobiles, and sell them as new cars.

<https://www.govinfo.gov/content/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf>



Key Facts

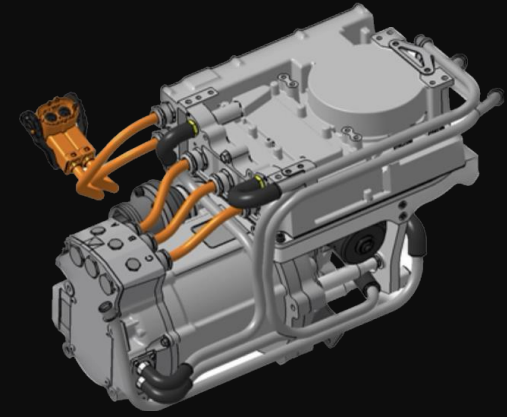
- **A small volume manufacturer (SVM) is one that produces less than 5000 vehicles per year, worldwide.**
- **A replica car is a turn-key, new vehicle that resembles a car produced more than 25 years ago.**
- **SPMV stands for Specialty Produced Motor Vehicle, and is the term used to describe a replica car.**
- **An SVM can produce up to 325 SPMVs per year.**
- **SPMVs are exempt from FMVSS Vehicle requirements, but not FMVSS equipment standards.**
- **An SPMV may use any engine from a current model year, certified vehicle, sold per the SPMV requirements (different for CA vs. Federal).**

Engine Requirements



- Engines must be out of a current model year, certified vehicle.
- Engines must be sold as a kit, including all emissions related components
- Engine manufacturer must provide detailed installation instructions.
- Engine manufacturer must provide a warranty on all emissions related components.

EV Powertrains



- **CARB certification is the only avenue for marketing an EV powertrain for SPMV**
- **Battery Electric powertrains must be sold in a kit, including all necessary components (Motor, battery pack, inverter, etc.)**
- **Manufacturer must provide detailed installation instructions.**
- **Manufacturer must provide a warranty on all emissions related components.**
- **Manufacturer applying for E.O. must have design control for the entire powertrain specification.**
- **Testing for EV powertrains will include range testing and battery energy density determination, as defined in: California Exhaust Emission Standards and Test Procedures for 2018 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car,**

Engine Requirements



CARB

- An SPMV engine must be certified as a package, with an EO, by any of the following: OEM (i.e., GM, Ford, etc.), 3rd party, or SVM.
- Engines must be sold as a complete package, including all emissions control equipment, and complete installation instructions.
- All emissions related parts must be warranted for 3 years or 50K miles. High priced warranted parts must be covered for 7 years or 70K miles.
- Engines must have a fully functioning OBD system, except for EVAP leak monitoring if using a capless fuel storage system.

Engine Requirements



CARB cont.

- OBD data may be carried over from the previously certified vehicle, with permission of executive officer (may require permission of original vehicle manufacturer for data access).
- Production vehicle evaluation for in-use monitoring performance ratio may be carried over from the previously certified vehicle, with permission of executive officer (may require permission of original vehicle manufacturer).
- The engine manufacturer must provide fuel tank design specifications.

Engine Requirements



EPA

- An SPMV engine must be sold as a package by the manufacturer that holds the original certificate of compliance (COC) for the certified vehicle.
- Alternatively, an engine package with a CARB EO for SPMV is also permitted.
- Engines must be sold as a complete package, including all emissions control equipment, and complete installation instructions.
- All emissions related parts must be warranted for 2 years or 24K miles. High priced warranted parts must be covered for 8 years or 80K miles.
- Engines must have a fully functioning OBD system, with the exception of any EVAP related functions.

https://iaspub.epa.gov/otaqpub/display_file.jsp?docid=48207&flag=1

Engine Availability



- **Currently, no OEMs have expressed interest in providing engine packages for SPMVs in accordance with the EPA guidance document.**
- **ACS has partnered with BluePrint Engines and applied for a CARB EO for an SPMV engine package that will be available to SVMs. (Ford 5.0L Coyote, F150 version)**
- **Some SVMs are pursuing their own EOs with assistance from ACS.**

Vehicle Requirements



- **Vehicles must “resemble” a vehicle produced not less than 25 years ago.**
- **Vehicles are exempt from all NHTSA, FMVSS, vehicle requirements (manufacturers must still comply with FMVSS equipment standards).**
- **Vehicles will be sold as new cars, untitled, with their own VIN, on an MSO .**
- **Vehicles can be sold by new car dealers, or direct to consumer.**
- **Vehicle manufacturers must obtain a license to any applicable designs, intellectual property, trademarks, or copyrights from the owner of such rights.**

Vehicle Requirements



CARB (Final Rulemaking)

- The SVM must obtain a CARB EO for the vehicle itself.
- Vehicle must be within 10% dimensionally of original, excluding roof configuration, ride height, trim attached to the body, fenders, running boards, grille, hood or hood lines, windows, and axle location...
- Original car must have been produced, in volumes of at least 50 units of a unique body style.
- Vehicle must have been commercially manufactured during consecutive model years, for sale not less than 25 years after the latest model year.
- Vehicle must have a GVWR of 8500 lbs or less.
- SVM Must be approved by NHTSA & registered with EPA.
- SVM must install an engine package with an E.O. per CARB's SPMV regulation.
- SVM must provide an installation warranty on all emissions related components, for a period of 1 year or 12K miles.

https://ww3.arb.ca.gov/regact/2018/spmv2018/fro.pdf?_ga=2.85395417.1964112655.1582837808-992638723.1574703510

CARB issued a rulemaking in July 2019 which outlines procedures for receiving an Executive Order recognizing the engine packages as compliant with current model year clean air standards. The rulemaking also establishes procedures for companies selling replica vehicles in California. CARB is ready to begin accepting manufacturer registrations.

Vehicle Requirements



EPA (Guidance Doc.)

- Vehicle must “resemble” a car produced at least 25 years ago.
- The vehicle must use a CARB certified engine (per SPMV) or a current model year engine sold by the OEM as a package per SPMV requirements.
- SVM must also register with NHTSA.
- SVM must have a license to produce the car from the original OEM, or current owner of IP rights.

https://iaspub.epa.gov/otaqpub/display_file.jsp?docid=48207&flag=1

As required by the law, replica vehicles will meet current model year clean air standards. The EPA issued a guidance document in October 2019 outlining how manufacturers can register with the agency and produce engine packages that will be deemed compliant. The EPA is ready to begin accepting manufacturer registrations

Vehicle Requirements



NHTSA (Final Rule)

- Vehicle must be within 10% dimensionally of original, excluding roof configuration, ride height, trim attached to the body, fenders, running boards, grille, hood or hood lines, windows, and axle location...
- Interior of the vehicle does not need to resemble that of the original.
- Original logos and emblems are not required.
- Vehicle must comply with FMVSS equipment standards only (lamps, seatbelts, brake lines, tires, glass, etc.).
- Vehicles are not required to conform with safety standards that applied to the original vehicle as of this proposal.
- Original vehicle must have been manufactured for consumer sale for use on public roads not less than 25 years ago (no prototypes or concept vehicles).

Vehicle Requirements



NHTSA cont.

- SVM must meet NHTSA requirements for labeling, registration, consumer disclosures, reporting, and defect reporting, notification & recall.
- A registered importer is excluded from being an SVM.
- Replica cars may only be imported by their fabricating manufacturer.
- Vehicles must be manufactured under license from the original manufacturer or current owner of the I.P.
- Vehicles are also exempt from 49 U.S.C. 32304 (country of origin), 32502 (bumper standards), & 32902 (fuel economy).
- This law does not affect or supersede any state titling or registration laws.

SVM Ownership Structure

From NHTSA rule:

- *If a parent company or individual owns two low volume manufacturers, the 325-limit would apply to all manufacturers under common ownership. Each low-volume manufacturer would not be permitted to manufacture 325 replicas. Instead, the two manufacturers under common ownership would need to submit one registration submission and collectively cannot manufacture more than 325 replica vehicles in any given calendar year. NHTSA interprets the statute this way to ensure that the 325-replica limit set by Congress is not circumvented.*
- *Only one registration is permitted for manufacturers sharing common ownership. If a manufacturer wishes to manufacture replica vehicles and it shares common ownership with a registered replica motor vehicle, it may only do so after the registered replica manufacturer submits a revised registration submission indicating that the exemption for 325 replica vehicles will be divided between the manufacturers*
- *Section 30114(b)(7)(A) defines “low volume manufacturer” as: “a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production, including by a parent or subsidiary of the manufacturer, if applicable, is not more than 5,000 motor vehicles.”*

Reporting & Registration

CARB:

- **Engine manufacturer must file annual production report with CARB.**
- **Engine manufacturer must file annual warranty report with CARB.**
- **Engine manufacturer must report recall and/or corrective actions when failures of an emissions related part exceed 4% of engine production.**
- **Engine manufacturer must obtain a CARB EO.**
- **SVM must obtain a separate CARB EO.**

Reporting & Registration

EPA:

- **SVM must provide an annual compliance report to EPA.**
- **SVM must annually register with EPA .**
- **Engine manufacturer must submit installation instructions, warranty info, labeling, and the original COC to EPA.**

Reporting & Registration

NHTSA:

- **SVM must register with NHTSA .**
- **SVM must submit an annual production report to NHTSA.**
- **SVM must conform to all defect and non-compliance reporting requirements as laid out in 49 U.S. Code 30116-30120A .**

Example Vehicles

