
THIRD READING

Bill No: SB 1392
Author: Cortese (D) and Grove (R), et al.
Amended: 4/15/26
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 10-2, 4/21/26
AYES: Cortese, Strickland, Archuleta, Arreguín, Dahle, Gonzalez, Grayson,
Richardson, Seyarto, Valladares
NOES: Blakespear, Wiener
NO VOTE RECORDED: Menjivar

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson
NO VOTE RECORDED: Wahab

SUBJECT: Smog check: exemption: collector motor vehicles

SOURCE: Specialty Equipment Market Association

DIGEST: This bill exempts collector motor vehicles, as defined, of certain model years (MY) from smog check requirements, as specified.

ANALYSIS:

Existing law:

- 1) Establishes a motor vehicle inspection and maintenance (smog check) program that is administered by the Department of Consumer Affairs.
- 2) Requires smog check inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances, as specified.

- 3) Exempts certain vehicles from being inspected biennially upon renewal of registration, including, among others, all motor vehicles manufactured prior to the 1976 model year.
- 4) Exempts a collector motor vehicle that is insured as a collector motor vehicle, from certain portions of the smog test, both biennially and at transfer, including the vehicle is at least 35 model years old, complies with the exhaust emissions standards for that motor vehicle's class and model year, as prescribed, and that also passes a functional inspection of the fuel cap and a visual inspection for liquid fuel leaks.
- 5) Defines "collector motor vehicle" as a vehicle that is owned by a collector, is of historical value or considered a "special interest vehicle," as specified, and is used primarily in shows, parades, charitable functions, and historical exhibitions for display, maintenance, and preservation, and is not used primarily for transportation.

This bill:

- 1) Provides that this act may be cited as "Jay Leno's Law."
- 2) Exempts a collector motor vehicle manufactured before MY 1981 from smog check requirements, as specified.
- 3) Further exempts collector motor vehicles from smog check requirements by one subsequent model year beginning on or after January 1, 2028, until the final extension takes effect on or after January 1, 2032 (i.e. MY 1982-1986).
- 4) Redefines "collector motor vehicle" to mean a vehicle that is at least 35 model years old, is used primarily in shows, parades, charitable functions, and historical exhibitions for display, maintenance, and preservation, is not used as the owner's primary mode of transportation, and is either insured as a collector motor vehicle with proof of insurance submitted to the Department of Motor Vehicles (DMV) or a vehicle driven fewer than 1,000 miles per calendar year, as specified.

Comments

- 1) *Purpose of the bill.* According to the author, "SB 1392 makes a narrow adjustment to California's SMOG program for a small, declining class of

collector vehicles built between 1976 and 1985. These are not daily drivers. They are historic vehicles that are rarely driven, carefully maintained, and used primarily for shows, parades, charitable events, exhibitions, display, maintenance, and preservation.

“This bill reflects proportional regulation. Pre-1986 vehicles represent a very small (and declining) share of California’s overall fleet and contribute minimally to statewide emissions compared with high-use commuter and commercial vehicles. At the same time, the testing infrastructure, replacement parts, and technical expertise needed to maintain compliance for these late-1970s and early-1980s vehicles are becoming harder to access due to attrition. SB 1392 does not weaken the broader SMOG program. It provides a tailored exemption for a limited, well-defined class of historic collector cars while preserving the integrity of California’s emissions framework.”

- 2) *What are mobile source emissions?* Mobile sources of air pollution are vehicles or equipment that can be moved from place to place and emit pollutants as they operate. These sources include on-road vehicles like cars, trucks, and buses, as well as non-road vehicles such as aircraft, construction equipment, and marine vessels. Mobile sources and the fossil fuels that power them are a major contributor to the formation of ozone, greenhouse gas (GHG) emissions, fine particulate matter (PM_{2.5}), and toxic diesel particulate matter (DPM). Statewide, more than 21 million out of over 39 million Californians live in areas that exceed the federal ozone standards; within these areas, there are many low-income and disadvantaged communities that are exposed to not only ozone, but also particulate and toxic, pollutant levels significantly higher than the federal standards which are known to have negative health effects.

In California, mobile sources are responsible for approximately 60% of smog-forming nitrogen oxide (NO_x) emissions, and overall, approximately 40% of the state’s GHG emissions are derived from mobile sources.

- 3) *Background on smog check exemptions.* Prior to 1998, vehicles MY 1973 and earlier were exempt from smog check. Subsequently, SB 42 (Kopp, Chapter 801, Statutes of 1997) established the “30-year rolling exemption,” allowing vehicles to “graduate” from smog check once they reached 30 years of age. The Department of Consumer Affairs opposed SB 42, stating that while the initial number of vehicles exempted by the bill was modest, that number was responsible for a significant share of the smog test failure rate of the entire fleet. The California Air Resources Board (CARB) also opposed the bill, arguing that

it would make it even more difficult to attain federal air quality standards in areas such as the South Coast Air Quality Management District. In 2004, the Legislature passed and the Governor signed AB 2683 (Lieber, Chapter 704, Statutes of 2004). AB 2683 repealed the 30-year rolling exemption and instead applied the smog check exemption strictly to vehicles manufactured prior to MY 1976.

- 4) *Pre-1976 exemption vs. collector car partial exemption.* Existing law includes two separate types of smog check exemptions relating to older cars. First, collector cars are exempted from some portions of smog check, provided they meet certain criteria: the owner must be able to demonstrate that the vehicle is insured as a collector vehicle; the vehicle must be at least 35 years old; the vehicle must comply with exhaust emissions standards for that vehicle's class and MY; and the vehicle must pass a functional inspection of the fuel cap and a visual inspection for liquid fuel leaks. A collector vehicle meeting these requirements is exempt from the visual or functional check of emission control devices, including the catalytic converter, but must undergo the other portions of the smog test. The visual check is important because it is generally much easier to tamper with older vehicles' emissions controls — e.g., to increase engine performance — because older systems are much less sophisticated.
- 5) *Full exemption for certain collector vehicles.* This bill proposes to remove the existing partial smog check inspection process for collector motor vehicles manufactured before MY 1981. This bill further proposes to extend the exemption over a five-year period starting on January 1, 2028, ultimately exempting collector motor vehicles manufactured before MY 1986 from the smog check inspection process. This bill builds off last year's measure, SB 712 (Grove), which similarly aimed to provide a smog check exemption for certain types of collector / historical vehicles.

This bill further modifies the definition of "collector motor vehicle" in the Vehicle Code to eliminate cross references to other sections of the Vehicle Code aiming to provide greater clarification on what can be considered a collector motor vehicle in California.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- DMV would incur unknown one-time costs, likely in the mid- to high-hundreds of thousands of dollars, to make IT system changes to allow for the

modification of vehicle registration and vehicle transfer service channels to allow a registered owner to certify that the vehicle is identified as a “collector motor vehicle,” as specified. DMV is currently unable to provide a precise cost estimate because implementation efforts would overlap with the rollout of current IT modernization efforts. Staff notes that DMV would be unable to make the necessary programming changes by the operative date of this bill. (Motor Vehicle Account)

- Unknown ongoing DMV workload costs, likely in the low hundreds of thousands of dollars annually, to process smog check waivers for collector motor vehicles. (Motor Vehicle Account)
- Unknown annual loss of smog certification fee revenues, depending on the number of vehicles that are designated as collector motor vehicles eligible for the smog check exemption established by this bill. This amount would grow annually thereafter for five years as an additional model year would be eligible for the “rolling” exemption each year until January 1, 2032. Eventually the annual revenue losses would likely be in the low hundreds of thousands of dollars. (Vehicle Inspection and Repair Fund -- VIRF)
- CARB could incur costs to quantify foregone emission reductions as a result of this bill, and it may result in cost pressures of an unknown, but potentially significant amount, to the extent CARB needs to achieve emissions reductions from other sectors to make up for foregone emissions reductions. (VIRF)

SUPPORT: (Verified 5/14/26)

Specialty Equipment Market Association (SEMA) (Source)

Antique Automobile Club of America

California Automotive Wholesalers' Association

Californians for Classic Car Exemptions

Californians for Classic Car Smog Exemptions

Monterey County Office of Supervisor Luis A. Alejo

Petersen Automotive Museum

San Joaquin County Supervisor Mario Gardea

San Joaquin County Supervisor Robert Rickman

The Lowrider Grind Podcast

Valley Can

210 Individual various car club members

1,503 Individuals

OPPOSITION: (Verified 5/14/26)

7th Generation Advisors
Active San Gabriel Valley
Alliance of Nurses for Healthy Environments
American Lung Association in California
Bay Area Air Quality Management District
California Air Pollution Control Officers Association
California Environmental Voters
Center for Environmental Health
Cleaneearth4kids.org
Coalition for Clean Air
Environmental Protection Information Center
Families Advocating for Chemical and Toxics Safety
National Resources Defense Council
Physicians for Social Responsibility - San Francisco Bay
Regional Asthma Management & Prevention
Sierra Club
Union of Concerned Scientists

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