



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

## **Frequently Asked Questions About EPA Requirements for Motorcycle Imports:**

**Q. If I know the motorcycles I am importing have engine displacements less than 50 cc, is it OK to import them even if they are not EPA-certified?**

A. Yes and No. If the motorcycle is built before January 1, 2006, it is OK to import the motorcycle even if it is not EPA-certified. After January 1, 2006, all on-road motorcycles must be EPA-certified to be imported and sold in the United States. For more information, see EPA's Motorcycle web page <http://www.epa.gov/otaq/roadbike.htm>.

**Q. Can I import motorcycles built before January 1, 2006 with engine displacements below 50 cc and modify the engines to increase the displacements to 50 cc or greater?**

A. Modified motorcycles or motorcycles assembled from a kit of parts would have to be EPA-certified, if the resulting motorcycles have engine displacements 50 cc or greater and the motorcycles are assembled prior to January 1, 2006. After January 1, 2006, all on-road motorcycles, regardless of engine displacement, must be EPA-certified. A company that modifies motorcycles to increase the engine size, or that sells motorcycles and upgrade kits, is considered to be the manufacturer of the motorcycles. As a consequence, if the motorcycle kits or modified motorcycles have engines that are 50 cc or greater, the company must obtain an EPA emissions certification for the motorcycle. This is true regardless of whether the company modifies the motorcycles, or only sells motorcycles with the upgrade kits. For more information, see EPA's Kit Car Policy at <http://www.epa.gov/otaq/imports/kitcar.htm>.

**Q. Can I import the parts and assemble the motorcycle in the United States?**

A. A company that assembles a motorcycle from parts is considered to be a manufacturer, and the company must obtain an EPA emissions certification for the motorcycles it introduces into commerce. Prior to January 1, 2006, motorcycles with engine displacements less than 50 cc are exempt from certification requirements. Manufacturers that violate the certification requirements are subject to penalties of up to \$32,500 per motorcycle.

**Q. If I know my motorcycle engine meets the EPA emission standards, can I import it legally?**

A. Even though a motorcycle with an engine displacement 50 cc or greater meets the emission standards, it is illegal to import it into the United States unless it is certified by EPA. Certified motorcycles bear a readily visible EPA emission label. EPA certification carries with it important responsibilities beyond meeting emissions standards, such as emissions warranty and recall

requirements.

**Q. Can EPA emissions control labels be added after the motorcycle has been imported?**

A. Emissions control labels must be affixed to EPA-certified motorcycles at the time of manufacture. Importation of certified motorcycles that do not bear EPA emission labels is prohibited.

**Q. Can I legally import an uncertified motorcycle as long as I claim it is not for road use?**

A. Motorcycles are classified as On-road motorcycles based on whether they are, or can readily be, equipped with brake lights, tail lights and headlights, and are capable of speeds greater than 25 mph. A motorcycle with these attributes is an On-road motorcycle even if the manufacturer calls it an Off-road motorcycle and must meet all EPA requirements for On-road motorcycles. Off-road motorcycles currently are not required to be EPA-certified, but new certification requirements apply to Off-road motorcycles starting on January 1, 2006. For more information on Off-road motorcycle certification requirements, see <http://www.epa.gov/otaq/recveh.htm>.