



This is a law blog, so call this post Easy Rider v. Planet Saver. The California legislature is considering a bill ([SB 435](#), sponsored by Sen. Fran Pavley of the clean-car "[Pavley Regs](#)" fame) requiring motorcycles to undergo biennial smog checks, just like cars and trucks do.

The bill would take aim at a significant remaining source of smog-forming emissions. Who knew motorcycles were this dirty? This from the [LA Times](#):

Motorcycles account for 3.6% of registered vehicles in the state, and they make up just eight-tenths of a percent of vehicle-miles traveled, yet they account for 10% of passenger vehicles' smog-forming emissions. . . . Although fuel-efficient bikes emit significantly less carbon dioxide per mile than cars, the ARB says they are, on average, 14 times more polluting per mile when it comes to emissions of oxides of nitrogen and hydrocarbons - smog-forming pollutants that have been shown to trigger asthma attacks and worsen respiratory and cardiac illnesses.

California's air continues to be the worst in the nation (as Rick recently blogged about [here](#) — reporting that "Southern California retained its number one ranking as the country's worst ozone-polluted metropolitan area."). And Arnold has made a name for himself as the Green Governor, pushing technological solutions to environmental problems. So why isn't



he backing this measure (the LA Times [reports](#) he's staying neutral)? Is his love of choppers and the freedom of the road causing some cognitive dissonance?

The motorcycle counterculture is notoriously anti-regulation—just consider its resistance to [helmet laws](#). [Here's](#) the president of the Irvine Motorcycle Industry Council on why he objects to the measure: “The whole impact to the consumer of not being able to customize and personalize your motorcycle and tune it as you would like is something we can't support because we know how valued that is by our customers.” Sounds like pretty low-octane stuff to me. Smog checks [aren't perfect](#), but the most recent [official report](#) to the legislature on their efficacy concludes that the reductions achieved through the Smog Check program make it “one of the single largest emission reduction programs in California.” Arnold should buck up and support the bill.