

## Use of Antique Motor Cars

At the risk of beating the antique auto issue to death, we wanted to share this information we received from the Registry of Motor Vehicle's (RMV) General Counsel regarding use of Antique Motor Cars.

Following is the complete text of the memorandum from the RMV's General Counsel:

"The Registrar has become aware that some persons owning an antique motor car believe that recent changes to the [Antique Motor Car Affidavit](#) form means that they can no longer operate their antique motor car on **Holidays, Saturdays and Sundays**. In fact, the Registrar's Interpretation of the statute actually expands an owner's opportunities to operate an antique motor car.

"**Massachusetts** General Laws, Chapter 90, Section 1 defines an 'antique motor car' as follows:

"any motor vehicle over twenty-five years old which is maintained solely for use in exhibitions, club activities, parades and other functions of public interest and which is not used primarily for the transportation of passengers or goods over any way, provided that the application for registration thereof is accompanied by an affidavit upon a form provided by the registrar which shall include a statement of the age and intended use of such motor vehicle.

"Nothing in the law specifically authorizes the use of an antique motor car on **Holidays, Saturdays and Sundays**, although an antique motor car may be used on those days if the vehicle is part of an exhibition, club activity, parade or other function of public interest.

"The Antique Motor Car Affidavit was amended in March **2003**. The prior version of the Affidavit form contained words that seemed to authorize use of an antique motor car on **Holidays, Saturdays and Sundays** even if the antique motor car was not a part of an exhibition, club activity, parade or other function of public interest on those days. It was never the intention of the Registrar to authorize use of an antique motor car beyond the specific use authorized by the law itself. The Registrar has no authority to do so.

"The language contained in the Antique Motor Car Affidavit form no longer includes the words **Holidays, Saturdays and Sundays**, but the Registrar construes the language 'maintained solely for use in exhibitions, etc.' to include test drives to prepare for such functions and transportation to and from repair facilities.

"The Registrar believes that as long as an Antique Motor Car is being operated for the purposes of a test drive, or to or from a repair facility, to ensure that the vehicle is being properly maintained for use in exhibitions, club activities, parades and other functions of public interest, the day of the week on which that test drive occurs is irrelevant. The vehicle may even be operated daily (with or without passengers) if the owner wishes to assure himself or herself that the vehicle is in good working order and is being properly maintained, so long as it is not used primarily for the transportation of passengers or goods over any way.

"The Registrar further believes this interpretation is consistent with the statute and the Legislature's apparent desire to encourage the maintenance and display of such vehicles."

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