

## CHAPTER 26

## TRANSPORTATION OF BULK COMMODITIES

## Authority

N.J.S.A. 39:5E-5.

## Source and Effective Date

R.1993 d.418, effective July 29, 1993.  
See: 25 N.J.R. 1343(a), 25 N.J.R. 4106(b).

## Executive Order No. 66(1978) Expiration Date

Chapter 26, Transportation of Bulk Commodities, expires on July 29, 1998.

## Chapter Historical Note

All provisions of this chapter became effective August 14, 1978 as R.1978 d.278. See: 10 N.J.R. 203(a), 10 N.J.R. 404(c).

1980 Revisions: Amendments became effective January 7, 1980 as R.1980 d.9. See: 11 N.J.R. 452(b), 12 N.J.R. 91(c).

1981 Revisions: Amendments became effective February 25, 1981 as R.1981 d.61. See: 12 N.J.R. 724(f), 13 N.J.R. 237(b).

1983 Revisions: This chapter was readopted pursuant to Executive Order 66(1978) effective September 26, 1983 as R.1983 d.441. See: 15 N.J.R. 1116(a), 15 N.J.R. 1770(a).

1988 Revisions: This chapter was readopted pursuant to Executive Order 66(1978) effective September 26, 1988 as R.1988 d.502. See: 20 N.J.R. 2035(a), 20 N.J.R. 2790(a).

Pursuant to Executive Order No. 66(1978), Chapter 26 was readopted as R.1993 d.418. See: Source and Effective Date. See, also, section annotations for specific rulemaking activity.

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## SUBCHAPTER 1. ADMINISTRATION

## 13:26-1.1 Policy and purpose of rules, regulations and procedures

This chapter, which is promulgated in the public interest, is intended to further the policy of this State as set forth in N.J.S.A. 39:5E-2. Recognizing the strong public policy in favor of a competitive, free enterprise economy embodied in the antitrust laws of the United States and of this State, the regulation of bulk commodities transportation pursuant to the authority of N.J.S.A. 39:5E-1 et seq. is not intended to, and shall not, prevent the ordinary operation of competition in any market for the transport of bulk commodities, except to the minimum extent necessary to effectuate the policy stated in N.J.S.A. 39:5E-2. Such regulation is not intended to confer any immunity or exemption from Federal or State antitrust laws, except to the extent that such immunity or exemption is expressly required by N.J.S.A. 39:5E-1 et seq. The encouragement of competition in the transport of bulk commodities will both foster sound economic conditions and protect the interest of the public.

## 13:26-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context otherwise clearly indicates.

“Applicant” means every person who makes application for a certificate and/or permit in his individual capacity, all partners of a partnership, all officers or shareholders of a corporation and shall include any partnership or corporation.

“Authority” means the rights and limitations conferred by the Director, Division of Motor Vehicles of the State of New Jersey to transport bulk commodities in intrastate commerce.

“Hazardous material” means a substance or material which may pose an unreasonable risk to health and safety or property when transported in commerce. The designated listing of hazardous materials for purpose of transportation of those materials in commerce shall include, but, may not be limited to those materials set forth in the Hazardous Materials Table of the Materials Transportation Bureau, of United States Department of Transportation at 49 CFR 172.101.

“Identification plate” means the plate issued to common or contract carriers pursuant to N.J.S.A. 39:5E-19 and N.J.A.C. 13:26-3.11(a).

“Major stockholder” means any individual partnership, corporation or association which owns or controls 10 percent or more of stock in a corporation.

“Non-hazardous material” means a substance or material which does not pose an unreasonable risk to health and safety or property when transported in commerce. For purposes herein, a material or substance which is not within the meaning of the term “hazardous material” as defined in this chapter shall be designated as a “non-hazardous material”.

“Registered carrier” means a common or contract carrier to which operating authority has been granted under the “Bulk Commodities Transportation Act”.

As amended, R.1981 d.61, effective February 25, 1981.

See: 12 N.J.R. 724(f), 13 N.J.R. 237(b).

Paragraph “Identification plate” and “registered carrier” added.

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## SUBCHAPTER 2. RULES OF PRACTICE AND PROCEDURE

### 13:26-2.1 Rules of practice and procedure

The rules of practice and procedure heretofore adopted by the Director, Division of Motor Vehicles at N.J.A.C. 13:19-1.1 through 13:19-1.13 shall be applicable to proceedings conducted pursuant to N.J.S.A. 39:5E-1 et seq.

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## SUBCHAPTER 3. GENERAL PROVISIONS

### 13:26-3.1 Certificates of public convenience and necessity permits

(a) Every common or contract carrier engaged in the intrastate transportation of bulk commodities, prior to using the public highways of this State as such carriers, shall be in possession of a certificate or permit of public convenience and necessity issued by the Director of the Division of Motor Vehicles pursuant to the provisions of N.J.S.A. 39:5E-1 et seq. and the rules and regulations promulgated by this Division.

(b) No certificate of public convenience and necessity or permit under the provisions of N.J.S.A. 39:5E-1 et seq. shall be issued nor shall any said certificate or permit remain in force, unless there shall be total and continuing compliance with the requirements of N.J.S.A. 39:5E-1 et seq. and the rules and regulations promulgated by this Division and with all other requirements of the laws of this State and the United States concerning grants of authority or licenses to haul commodities regulated by N.J.S.A. 39:5E-1 et seq. and these regulations.

(c) Certificates of public convenience and necessity and/or permits shall specify the vehicle classification which the holder is authorized to operate and the commodity classification which the holder is authorized to transport. In the event the operations of an individual carrier fall within more than one section of each classification, said carrier shall become subject to the rules and regulations of each section in which it falls.

1. Classification 1 is comprised of all tank vehicles in which liquids and gases are transported.

2. Classification 2 is comprised of all tank vehicles in which dry bulk cargo is transported (pneumatic, air slide and hopper-type vehicles).

3. Classification 3 is comprised of all dump vehicles in which dry bulk commodities are moved and which are normally unloaded by dumping.

4. Classification A is comprised of all non-hazardous cargo transported in bulk.

5. Classification B is comprised of all hazardous cargo transported in bulk.

(d) Holders of a certificate of public convenience and necessity (common carriers) shall be required:

1. To hold themselves out to the general public as haulers of bulk commodities.

2. To maintain a minimum of one motor vehicle for the transportation of bulk commodities for the general public pursuant to its operation as a common carrier.

3. To be ready, willing and able to transport bulk commodities within the territory or points it has been authorized to operate.

(e) Holders of a permit (contract carriers) shall be required:

1. To maintain continuing contracts with one or more persons for the purpose of engaging in the transportation of bulk commodities;

2. To maintain sufficient equipment for the transportation of bulk commodities according to the needs of each contract to transport;

3. To be ready, willing and able to transport bulk commodities within the territory or points it has been authorized to operate and has agreed to transport pursuant to any agreement to transport.

**13:26-3.2 Applications**

(a) All applications for a certificate of public convenience and necessity or permit shall be filed in writing with the Director, Division of Motor Vehicles on forms supplied by the Director and shall be certified by the applicant. Such certification shall include a statement by the applicant that he, nor any other person on his behalf, has not directly or indirectly, entered into any agreement or understanding, participated in any collusion, or otherwise taken any action with a present or potential competitor to allocate among themselves customers, territories, routes, or commodities to be hauled, or to fix, peg or stabilize the prices to be charged for any bulk commodity carrier service.

(b) The following information shall be supplied by all applicants:

1. Name and address of applicant;
2. Applicant's principal business and dates of operation;
3. Trade name under which business is, or will be, conducted;
4. Principal place(s) of business in New Jersey and number of employees;
5. Whether business is a sole proprietorship, partnership or corporation:
  - i. If partnership, provide names and interest of all partners;
  - ii. If corporation, provide state of incorporation, names of all officers and names of every major stockholder.
6. Applicant's Social Security number and/or Federal employer's identification number, if appropriate;
7. Applicant's Interstate Commerce Commission number and operating authority, if any;
8. Any authority issued to the applicant by this State, any other State or the United States Government regulating the applicant's operations as a hauler of bulk commodities (e.g. authority to transport issued by the Public Utilities Commission or Interstate Commerce Commission or authority to dump issued by the Department of Environmental Protection, etc.);
9. Number and description of motor vehicles owned or under lease;
10. All violations of the motor vehicle laws or regulations of this State, any other State, the Interstate Commerce Commission or the United States Department of Transportation, relating to equipment, safety, weight restriction (axle weight, tire weight or gross weight) or operating authority (State or I.C.C.). (Specify violation(s), dates, convicting authority and disposition.);

11. All convictions of a misdemeanor or high misdemeanor in this State or their equivalent under any other State or Federal law. (Specify violation(s), dates, convicting authority and disposition.);

12. All outstanding judgments, liens, etc.;

13. A full and complete financial statement of the applicant, including, but not limited to assets, cash on hand and in any bank or financial institution, motor vehicles, land and buildings, shop equipment and liabilities including debts and depreciation. Financial statements shall be in writing on forms supplied by or approved by the Director.

(c) The following information shall be supplied by all applicants concerning authority requested.

1. Whether common carrier or contract carrier authority is requested.
2. Whether permanent, temporary or emergency authority is requested.
3. If authority over irregular routes throughout the entire territory of this State is not requested, a statement of the limiting features of the authority requested (i.e., regular route authority between designated points, specific roads to be used). If no such limiting features are requested, it shall be presumed an applicant seeks irregular route authority, over all roads, between all points within the State.
4. Types of commodities to be transported and classification of said commodities as either non-hazardous or hazardous according to the standards for classification set forth herein.
5. Classification of vehicles to be used in bulk hauler service and number of vehicles initially used in each classification.
6. Prior violations of operating authority granted by this State.
7. Facts, documentation and/or certifications concerning:
  - i. Applicant's fitness, willingness and ability to provide adequate and safe bulk hauler service;
  - ii. Applicant's prior experience as a bulk commodities hauler with emphasis on the vehicle classification and commodity classification sought.

(d) Whenever, subsequent to the date of the filing of the application or an amended application, there is any change in respect to any information contained in such application or amended application, the party who filed said application shall promptly file an amended application showing or explaining the changed facts or circumstances.

(e) The filing of any amended application amending the authority applied for shall be considered a new filing as of

the date of its filing, unless otherwise ordered or permitted by the Director.

(f) The burden of proof is upon the applicant to satisfy all of the requirements for issuance of a certificate or permit pursuant to N.J.S.A. 39:5E-1 et seq. and the rules and regulations promulgated thereunder. Proof of an applicant compliance with the requirements for issuance of a certificate or permit shall not be limited to the proof required by statute or regulation, but additional proof may be required by the Director. Unless the Director finds, during the course of a particular application proceeding or on the basis of his independent investigation of economic conditions in the relevant geographic and commodity classification markets, that increased competition in such markets is not desirable in the public interest, it shall be presumed that increased competition in such markets is in the public interest. The foregoing presumption may be rebutted by a substantial showing that the benefits of competition in such relevant markets are substantially outweighed by the detriment to the protestors, if any, and the public harm created by any attendant economic dislocation.

#### Cross References

Dual authority, see N.J.A.C. 13:26-3.5

### 13:26-3.3 Grandfather application

(a) The Director, Division of Motor Vehicles, will accept the filing of applications for authority under the provisions of N.J.S.A. 39:5E-8, hereinafter referred to as "grandfather applications," on April 10, 1978, or within 120 days therefrom. Applications filed by mail must be postmarked no later than 120 days after April 10, 1978.

(b) In addition to the information required to be filed by all applicants, applicants applying for carrier authority pursuant to the grandfather provisions of N.J.S.A. 39:5E-1 et seq. shall supply the following information in detail:

1. Commencement date(s) of operating authority requested;
2. Whether authority requested has been continuous since commencement and, if not, supply detailed information concerning interruptions in service and dates of interruption;
3. Commodity classification shipped, dates and frequency of shipment, and routes and terminals used during the one-year period prior to April 10, 1978;
4. Permanent place(s) of business in New Jersey during the one-year period prior to April 10, 1978;
5. Proof of ownership or lease of motor vehicles registered and used in New Jersey in the transportation of bulk commodities for the one-year period prior to April 10, 1978 and classification of said vehicles.

(c) Applicants shall submit documentation to support the requirement set forth in N.J.S.A. 39:5E-1 et seq. and the regulations herein. Documentation shall include, but shall not be limited to, contracts, affidavits of shippers, deeds, leases and certificates of vehicle ownership.

### 13:26-3.4 Contract carrier permits

(a) In addition to the information required to be filed by all applicants, applicants for contract permits shall file the following information:

1. The number of shippers to be served;
2. The nature of the service proposed;
3. The effect that denial of the permit would have upon the applicant or shipper.

(b) In the event that protesting carriers allege, in good faith, that the grant of the permit would have a significant detrimental effect on them, then the applicant shall file additional information showing the effect that the grant would have upon the protesting carriers.

(c) Applicants applying for contract carrier permits shall submit documentation to support the requirements in N.J.S.A. 39:5E-1 et seq. and the regulations herein. Documentation shall include, but shall not be limited to, affidavits of shippers or interested parties.

#### Cross References

Dual authority, see N.J.A.C. 13:26-3.5.

### 13:26-3.5 Dual authority

(a) In addition to the information required to be filed by all applicants at N.J.A.C. 13:26-3.2 and contract carrier applicants at N.J.A.C. 13:26-3.4, applicants applying for dual authority shall file a detailed statement of all authority held at time of application.

(b) The Director may grant dual authority to an applicant to hold both a certificate and a permit over the same routes or within the same territories should the Director find, during the course of a particular application proceeding or on the basis of his independent investigation, that there is good cause for the grant of dual authority over particular routes or within particular territories. The Director may find such good cause to be applicable to all routes or territories within this State.

(c) Holders of dual authority shall be required to satisfy the responsibilities of its operations as a common carrier and as a contract carrier as set forth at N.J.A.C. 13:26-3.1(d) and (e). In addition, holders of dual authority shall:

1. Not allocate equipment from its operation as a common carrier to its operation as a contract carrier, unless such allocation will not interfere with its ability to operate as a common carrier;

2. Not allocate equipment from its operation as a contract carrier to its operation as a common carrier, unless such allocation will not interfere with its ability to meet the needs of existing contracts.

(d) An applicant may be issued an exemption from compliance with the provisions of subsection (c) of this section upon application to the Director showing the need for such exemption, any adverse effects that may be suffered by compliance, and the period of time such exemption is requested. No exemption shall be granted for a period exceeding 90 days, without good cause.

### 13:26-3.6 Temporary authority

(a) Temporary authority to operate as a bulk hauler shall be issued under the following situations and subject to the following conditions and restrictions:

1. Any hauler of bulk commodities who is in business as such within this State on the effective date of this act may lawfully continue in operation pending the disposition of his application for a permanent certificate or permit provided said application is filed with the Director within 120 days following April 10, 1978.

2. In the event that two or more haulers of bulk commodities contemplate a merger or consolidation of their properties, or a hauler contemplates a purchase lease or a contract to operate the properties of one or more motor carriers in the hauling of bulk commodities, and the resulting operating entity applies for additional authority not attainable through transfers of existing certificates and permits, the Director may, in his discretion, and without hearings or other proceedings, temporarily grant the additional authority applied for if it shall appear from information filed by the applicant that failure to grant such temporary additional authority may:

- i. Result in destruction of or injury to such motor carrier properties sought to be acquired; or
- ii. Interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

### 13:26-3.7 Emergency authority

(a) Emergency authority to operate shall be issued under the following situations and subject to the following conditions and restrictions:

1. The Director may, in furtherance of N.J.S.A. 39:5E-16, in his discretion and without hearings or other proceedings, upon his own initiative or on the basis of information filed by an applicant, grant temporary authority to haulers of bulk commodities to provide service to points or territories having insufficient carrier service capable of meeting an immediate and urgent need.

2. In furtherance of N.J.S.A. 39:5E-21, whenever the Director finds that service in any section of the State is

inadequate because of shortage of equipment, congestion of traffic, or other emergency requiring immediate action he may, upon his own initiative or upon complaint, without answer or other formal pleading by interested carriers, with or without notice, conduct a hearing and on the making or filing of a report:

i. Suspend the operation of any or all rules, regulations or practices then established with respect to bulk commodity haulers for such time as he may determine.

ii. Make such just and reasonable directions with respect to bulk commodity hauler service, without regard to ownership as between carriers, during such emergency as in his opinion will best promote service in the interest of the public. Where such directions result in the partial performance of the contracts of a contract carrier by another bulk commodity hauler, the Director shall establish the terms of compensation for joint performance of such contracts during the remaining contractual period based upon independent, noncollusive submissions of such terms to the Director by interested carriers. In the event that the independent carrier submissions result in divergent terms, the Director shall establish such terms as he determines to be just and reasonable following a hearing. In lieu of the above procedures, the interested shipper may arrange to obtain all or part of the service in question from any bulk commodity haulers authorized to provide carrier service within the relevant territories or between the relevant points upon such terms as the shipper may independently agree with such carriers.

iii. Require such joint or common use of terminals as in his opinion will best meet the emergency and serve the public interest. To meet such emergency, the Director shall require affected bulk commodity haulers to submit independent, noncollusive proposals for the joint or common use of terminals. In the event that the independent carrier submissions result in divergent terms, the Director shall establish such terms as he determines to be just and reasonable following a hearing.

iv. Give directions for preference or priority in transportation and movement of traffic under permits, at such time and for such periods as he may determine, and to modify, change, suspend or annul them.

### 13:26-3.8 Transfer of certificate or permit

(a) In addition to the information and documentation required to be filed by all applicants, applicants applying for transfer of a certificate or permit shall file the following:

1. Facts and documentation completely describing the authority sought to be transferred including commodity and vehicle classifications authorized to be served and the fitness, willingness and ability of the transferee to provide adequate and safe bulk hauler service.

2. A statement describing all property to be sold, transferred or assigned, and the amount to be paid therefor.

3. Copies of all contracts, agreements and other stipulations between the transferee and transferor.

4. A certification that operations authorized by such authority sought to be transferred are being conducted in accordance with the terms of the certificate or permit.

5. Facts and documentation showing that if the authority sought to be acquired is to be joined with other authority held by the transferee such resulting authority will not adversely affect existing authorized service.

### 13:26-3.9 (Reserved)

### 13:26-3.10 Designation of agent

(a) No carrier shall operate under a certificate of public convenience and necessity or permit unless and until there shall be filed with the Director a designation of agent, street or post office address and municipality upon whom service of orders, notices or process may be made pursuant to N.J.S.A. 39:5E-1 et seq.

(b) The designated agent shall be an individual, resident of the State of New Jersey, and such designee may, from time to time, be changed by filing with the Director.

### 13:26-3.11 Vehicle identification and authorization

(a) Identification plates issued by the Director shall be displayed on a conspicuous location upon the front of the motor vehicle power unit not less than 12 inches nor more than 48 inches from the ground in a horizontal position.

(b) A motor vehicle power unit displaying an identification plate issued pursuant to (a) above shall be properly registered in New Jersey in accordance with N.J.S.A. 39:3-20 and display New Jersey registration plates.

(c) Identification plates shall be issued annually and shall expire on March 31 of each year.

(d) Identification plates shall be renewed at the statutory fee of \$10.00.

(e) Loss or destruction of identification plates shall be reported to the Director within seven calendar days.

(f) A registered carrier may display an identification plate on any motor vehicle power unit owned, leased or controlled by it, provided that said motor vehicle is operated in the performance of the registered carrier's operating authority.

(g) Identification certificates shall be issued annually by the Director to common or contract carriers renewing identification plates issued pursuant to (a) above.

(h) Original identification certificates shall be kept on file at the carrier's principal place of business in New Jersey. Photocopies of the carrier's identification certificate shall be in the possession of the driver when the vehicle is being operated upon any highway in this State and shall be exhibited upon demand to any person authorized to enforce the provisions of N.J.S.A. 39:5E-1 et seq.

(i) Identification certificates shall contain:

1. The carrier's name;
2. The address of the carrier's principal place of business in New Jersey;
3. The carrier's operating authority number;
4. The type of operating authority;
5. The carrier's routes;
6. Vehicle classifications;
7. Cargo classifications; and
8. Identification plate number series assigned to the carrier.

(j) Identification plates and certificates shall be surrendered to the Director upon termination, suspension or revocation of operating authority.

(k) Vehicles operating under temporary authority pursuant to N.J.S.A. 39:5E-16 may be operated without identification plates, provided that the drivers of said vehicles have in their possession and exhibit upon demand to any person authorized to enforce the provisions of N.J.S.A. 39:5E-1 et seq. official documentation issued by the Director in letter or telegraphic form as evidence of the granting of temporary authority.

As amended, R.1981 d.61, eff. February 25, 1981.

See: 12 N.J.R. 724(f), 13 N.J.R. 237(b).

Old text deleted and new text substituted therefore.

### 13:26-3.12 Insurance

(a) Every carrier under the jurisdiction of the Director, transporting bulk commodities for compensation shall secure and maintain and file with the Director a certificate of insurance of a company authorized to do business in this State by the Department of Insurance, or in lieu thereof, may file qualifications as a self-insurer covering the motor vehicle equipment to be operated by the sums set forth, conditioned for the payment of all judgments recovered against such motor carriers.

(b) The minimum amounts of insurance are hereby prescribed as follows:

1. Bodily injury liability, property damage liability:
  - i. Limit for bodily injuries to or death of one person—\$25,000;

ii. Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$25,000 for bodily injuries or death of one person)—\$100,000;

iii. Limit for loss or damage in any one accident to property of others (excluding cargo)—\$10,000.

2. Cargo liability:

i. For loss or damage to property being transported (cargo liability insurance) on any one vehicle for each accident—\$5,000;

ii. For loss or damage to or aggregate of losses or damages of or to property occurring at any one time and place—\$10,000.

(c) Every certificate of insurance shall contain a provision for continuing liability and shall provide that cancellation thereof shall not be effective unless at least 30 days notice in writing of intention to cancel has been delivered to the Director of Motor Vehicles.

(d) An owner of commodities to be transported by bulk carriage may release the hauler of said commodities from the requirements of compliance with subsection (b)2 of this section. A release shall exempt a bulk hauler from compliance with the provisions of subsection (b)2 of this section provided said release is executed:

1. In writing prior to the shipment of any commodities, signed by the owner of the commodities (or his authorized representative) and indicates a specific intent to release the hauler from compliance with the provisions of subsection (b)2 of this section.

**13:26-3.13 (Reserved)**

**13:26-3.14 Lease of equipment**

(a) The use of haulers of bulk commodities (under lease, contract or other arrangement) of motor vehicles or equipment not owned by them, in the transportation of bulk commodities, may be authorized subject to the following restrictions:

1. Agreements: Any lease, contract, or other arrangement shall be in writing and signed by the parties thereto, and shall specify the period during which it is in effect. Said lease, contract or other arrangement shall be kept in the principal New Jersey Office of said carrier and subject to inspection by the Director or his duly authorized representative.

2. Responsibility for non-owned vehicles: Haulers of bulk commodities shall have full direction and control of non-owned vehicles used in the transportation of bulk commodities and will be fully responsible for the operation thereof in accordance with the applicable laws and regulations as if they were the owners of such vehicles, including but not limited to the requirements prescribed

by or under the provisions of these regulations with respect to safety, inspection and insurance.

3. Identification of equipment: Haulers of bulk commodities who acquire the use of equipment under this section shall properly and correctly identify such equipment during the period of the lease, contract, or other arrangement in accordance with the requirements at N.J.S.A. 39:4-46 (Commercial vehicles to display name and place of lessee) and the Division's regulations in N.J.A.C. 13:26-3.11 (Vehicle Identification and Authorization). If a removable device is used to identify the acquiring authorized carrier under N.J.S.A. 39:4-46 such device shall be legible and on durable material such as wood, plastic, or metal.

4. Identification removal: The authorized carrier operating equipment under this section shall remove any legend showing it as the operating carrier displayed on such equipment and shall remove any identification device (plates, cards or decals issued under N.J.A.C. 13:26-3.11) showing it as the operating carrier, upon removing said equipment from bulk hauler service and/or relinquishing possession.

**13:26-3.15 Accounts, records, reports and preservation**

(a) Every motor carrier shall keep an accurate financial record and accounting of assets and liabilities, cost and depreciation of all equipment and other physical property owned, receipts from operation, operating and other expenses, contracts entered into, commodities hauled and destination, actual miles traveled within and without the State and such other information the Director may deem necessary.

(b) Every motor carrier shall file a report with this Division of any organization changes or changes concerning operating authority within 30 days of such change of circumstances.

(c) Every motor carrier shall keep an accurate record of all motor vehicle related accidents reportable pursuant to N.J.S.A. 39:4-130 in which said carrier has been involved. In addition to a carrier's obligation to file a written accident report, on forms furnished by the Division, to the Bureau of Security Responsibility of the Division pursuant to N.J.S.A. 39:4-130, a copy of said report shall be filed with the Bureau of Motor Carriers of this Division. Said report shall comply with the content and filing date requirements contained in N.J.S.A. 39:4-130.

(d) All accounts, records and reports shall be maintained at the principal place of business of the carrier in New Jersey and shall be open to inspection by the Director, Division of Motor Vehicles or his authorized representative during normal business hours.

(e) All accounts, records and reports shall be preserved for a minimum period of five years.

**13:26-3.16 Safety**

The laws of the State of New Jersey and the rules and safety regulations promulgated by the Division of Motor Vehicles or any other agency of this State, concerning the transportation of bulk commodities, shall be applicable to haulers of bulk commodities holding any authority to operate pursuant to N.J.S.A. 39:5E-1 et seq.