

CHAPTER 20**ENFORCEMENT SERVICE****Authority**

N.J.S.A. 39:2-3, 39:3-10, 39:3-11, 39:3-27.14, 39:3-27.39, 39:3-27.44, 39:3-33.3, 39:3-33.7, 39:3-33.9, 39:3-43, 39:3-63, 39:3-75, 39:3-76.6-10, 39:3-77, 39:3-81, 39:3-84a(10), 39:4-208, 39:5-30, 39:8-1, 39:8-2, 39:8-4, 39:8-4.1, 39:8-23, 39:10-4, P.L. 1991, c.264 and P.L. 1995, c.112.

Source and Effective Date

R.1996 d.28, effective December 13, 1995.
See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

Executive Order No. 66(1978) Expiration Date

Chapter 20, Enforcement Service, expires on December 13, 2000.

Chapter Historical Note

Chapter 20, Enforcement Service, was filed and became effective prior to September 1, 1969.

1970 Revisions: Subchapter 26, Self-Inspection of Certain Classes of Motor Vehicles, was adopted as new rules by R.1970 d.132, effective November 2, 1970. See: 2 N.J.R. 85(d), 2 N.J.R. 101(d).

1971 Revisions: Subchapter 27 was adopted as new rules by R.1971 d.86, effective June 1, 1971. See: 3 N.J.R. 84(a), 3 N.J.R. 136(d). Subchapter 28, Inspection of New Motor Vehicles, was adopted as new rules by R.1971 d.144, effective October 1, 1971. See: 3 N.J.R. 112(a), 3 N.J.R. 181(a). Amendments to Subchapter 28 became effective December 10, 1971 as R.1971 d.222. See: 3 N.J.R. 226(a), 4 N.J.R. 10(a).

1972 Revisions: Subchapter 29, Mobile Inspection Unit, was adopted as new rules by R.1972 d.106, effective June 1, 1972. See: 4 N.J.R. 105(b), 4 N.J.R. 165(b). Subchapter 13 was amended by R.1972 d.107, effective July 1, 1972. See: 4 N.J.R. 105(a), 4 N.J.R. 165(c). Subchapter 30, Supplemental Inspection of School Buses, was adopted as new rules by R.1972 d.154, effective August 7, 1972. See: 4 N.J.R. 163(a), 4 N.J.R. 223(b). Subchapter 31, Alcohol-Countermeasures Regulations, was adopted as new rules by R.1972 d.255, effective December 15, 1972. See: 4 N.J.R. 273(a), 5 N.J.R. 18(c).

1975 Revisions: Amendments to Subchapter 28 became effective July 1, 1975 as R.1975 d.174. See: 7 N.J.R. 233(c), 7 N.J.R. 343(b). Subchapter 32, Motor Vehicle Reinspection Centers, was adopted as new rules by R.1975 d.333, effective November 3, 1975. See: 7 N.J.R. 433(b), 7 N.J.R. 570(c). Subchapter 33, Enforcement Service: Standards and Procedures To Be Used By Licensed Reinspection Centers, was adopted as new rules by R.1975 d.334, effective November 3, 1975. See: 7 N.J.R. 469(d), 7 N.J.R. 570(d).

1976 Revisions: Subchapter 34, Identifying Marks, was adopted as new rules by R.1976 d.302, effective September 24, 1976. See: 8 N.J.R. 400(b), 8 N.J.R. 532(a).

1977 Revisions: Subchapter 35, Inspection of State-Owned Vehicles by the Central Motor Pool, was adopted as new rules by R.1977 d.480, effective December 21, 1977. See: 9 N.J.R. 486(b), 10 N.J.R. 71(c).

1978 Revisions: Subchapter 27 was amended by R.1978 d.66, effective February 22, 1978. See: 10 N.J.R. 17(b), 10 N.J.R. 122(a). Subchapter 10, Automatic Vehicle Identification Systems, was amended by R.1978 d.381, effective October 26, 1978. See: 10 N.J.R. 403(b), 10 N.J.R. 557(b).

1979 Revisions: Subchapter 31 was amended by R.1979 d.4, effective January 8, 1979. See: 10 N.J.R. 508(a), 11 N.J.R. 78(b).

1980 Revisions: Subchapter 28 was amended by R.1980 d.345, effective August 5, 1980. See: 12 N.J.R. 280(c), 12 N.J.R. 551(c).

1981 Revisions: Subchapter 25, Safety Glazing Material; Other Equipment, was amended by R.1981 d.15, effective January 16, 1981. See: 12 N.J.R. 606(b), 13 N.J.R. 143(d). Subchapter 36, Special National Guard Plates, was adopted as new rules by R.1981 d.31, effective January 28, 1981. See: 12 N.J.R. 427(a), 13 N.J.R. 150(e).

1983 Revisions: Subchapter 31 was amended by R.1983 d.19, effective February 7, 1983. See: 14 N.J.R. 1195(a), 15 N.J.R. 156(b).

1984 Revisions: Pursuant to Executive Order No. 66(1978), Subchapter 31, Alcohol-Countermeasures Regulations, was readopted as R.1984 d.7, effective January 4, 1984, with amendments effective February 6, 1984. See: 15 N.J.R. 1923(a), 16 N.J.R. 247(b). Pursuant to Executive Order No. 66(1978), Subchapter 33, Enforcement Service: Standards and Procedures To Be Used By Licensed Reinspection Centers, was readopted as R.1984 d.173, effective April 25, 1984. See: 16 N.J.R. 503(a), 16 N.J.R. 1280(d). Subchapter 36 was amended by R.1984 d.319, effective August 6, 1984. See: 16 N.J.R. 1188(a), 16 N.J.R. 2142(a). Subchapter 12, Accident Prevention Clinic, was adopted as new rules by R.1984 d.492, effective October 16, 1984. See: 16 N.J.R. 2347(a), 16 N.J.R. 3054(b). Subchapter 28 was amended by R.1984 d.622, effective January 21, 1985 (operative July 1, 1985). See: 16 N.J.R. 2500(a), 17 N.J.R. 203(a).

1985 Revisions: Subchapter 38, Dimensional Standards for Automobile Transporters, was adopted as new rules by R.1985 d.23, effective February 4, 1985. See: 16 N.J.R. 3176(a), 17 N.J.R. 313(b). Subchapter 37, Standards for Motor Vehicles with Modified Chassis Height, was adopted as new rules by R.1985 d.100, effective March 4, 1985. See: 16 N.J.R. 2501(a), 17 N.J.R. 603(a). Pursuant to Executive Order No. 66(1978), Subchapter 28, Inspection of New Motor Vehicles, was adopted as new rules by R.1985 d.379, effective June 27, 1985. See: 17 N.J.R. 1059(a), 17 N.J.R. 1901(a). Pursuant to Executive Order No. 66(1978), Subchapter 36, Special National Guard Plates, was readopted as R.1985 d.678, effective December 18, 1985. See: 17 N.J.R. 2602(a), 18 N.J.R. 203(a).

1986 Revisions: Pursuant to Executive Order No. 66(1978), Subchapter 25, Safety Glazing Material; Other Equipment, expired on January 16, 1986 and new rules on the same subject were adopted as R.1986 d.80, effective April 7, 1986. See: 18 N.J.R. 47(a), 18 N.J.R. 703(a).

1988 Revisions: Subchapter 39 was adopted as new rules by R.1988 d.537, effective November 7, 1988. See: 20 N.J.R. 2033(a), 20 N.J.R. 2788(a).

1989 Revisions: Pursuant to P.L. 1984, c.243 (N.J.S.A. 26:2B-9.1), the Bureau of Alcohol Countermeasures was transferred to the Department of Health and Subchapter 31, Alcohol-Countermeasures Regulations, was recodified to N.J.A.C. 8:66-1. See: 21 N.J.R. 70(a). Subchapter 1, Enforcement Officer, was repealed by R.1989 d.518, effective October 2, 1989. See: 21 N.J.R. 1500(b), 21 N.J.R. 3176(a). Subchapter 3, Identification Lights, was repealed and new rules on the same subject were adopted at N.J.A.C. 13:24-5, Blue Emergency Warning Lights, by R.1989 d.542, effective October 16, 1989. See: 21 N.J.R. 2460(a), 21 N.J.R. 3299(c).

1990 Revisions: Subchapter 40, ReflectORIZED Registration Plates, was adopted as new rules by R.1990 d.322, effective June 18, 1990. See: 22 N.J.R. 1230(b), 22 N.J.R. 1940(b). Pursuant to Executive Order No. 66(1978), Subchapter 10, Automatic Vehicle Identification Systems, was readopted as R.1990 d.491, effective October 1, 1990. See: 22 N.J.R. 2133(a), 22 N.J.R. 3151(b).

1991 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted as R.1991 d.20, effective December 13, 1990. See: 22 N.J.R. 3307(a), 23 N.J.R. 207(b). Subchapter 31, Private Inspection Center Licensing, was adopted as new rules by R.1991 d.253, effective May 6, 1991. See: 23 N.J.R. 387(a), 23 N.J.R. 1417(b).

1992 Revisions: Subchapter 41, Persian Gulf War Commemorative License Plates, was adopted as new rules by R.1992 d.20, effective January 6, 1992. See: 23 N.J.R. 2916(a), 24 N.J.R. 108(a). Subchapter 42, Purple Heart Emblems on License Plates, was adopted as new rules by R.1992 d.168, effective April 6, 1992. See: 24 N.J.R. 219(a), 24 N.J.R. 1365(a).

1995 Revisions: Subchapter 43, Enhanced Motor Vehicle Inspection and Maintenance Program; Subchapter 44, Private Inspection Facility Licensing; and Subchapter 45, Motor Vehicle Emission Repair Facility Registration, were adopted as emergency new rules by R.1995 d.410, effective June 29, 1995 (expires August 28, 1995). See: 27 N.J.R. 2777(a). The concurrent proposal of Subchapters 43, 44 and 45 was adopted as R.1995 d.528, effective August 28, 1995. See: 27 N.J.R. 2777(a), 27 N.J.R. 3820(a). Subchapter 31, Private Inspection Center Licensing, was repealed by R.1995 d.664, effective December 18, 1995. See: 27 N.J.R. 3911(a), 27 N.J.R. 5033(a).

1996 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 20 was readopted as R.1996 d.28, effective December 13, 1995. As part of R.1996 d.28, Subchapter 2, Vehicle Construction; Subchapter 8, Motor Vehicles Transporting Flammable Liquids; Subchapter 11, School Bus Warning Lamps; Subchapter 16, Concrete Ready-Mix Transit Vehicles; Subchapter 18, Flashing Warning Signals; Subchapter 19, Seat Belts; Subchapter 20, New Tires; Subchapter 21, Retread Tires; Subchapter 23, Fastening Loads on Commercial Flat Bed Vehicles; and Subchapter 41, Persian Gulf War Commemorative License Plates, were repealed effective January 16, 1996. See: Source and Effective Date. See, also, section annotations.

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APPENDIX B. AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A MOTOR VEHICLE HAVING A GVWR GREATER THAN 8,500 POUNDS

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SUBCHAPTER 4. POWER STEERING INSTALLATION

13:20-4.1 Permitted power steering device

Any power steering device installed in a motor vehicle, offered for sale, sold or registered in the State of New Jersey, shall be of a type which will permit the continued use of the power steering mechanism under manual control in the event of the failure of the power unit.

13:20-4.2 Equipment approval

(a) All power steering equipment on motor vehicles offered for sale, sold or registered in the State of New Jersey, must be approved by the Director.

(b) A certificate of approval will be issued on presentation of satisfactory evidence that the equipment is of a type which can be used manually in the event of failure of the power unit. (Affidavits or statements from new car manufacturers to the above effect will be acceptable.)

SUBCHAPTER 5. MANUAL DOOR EQUIPMENT

13:20-5.1 Purpose

The provisions of this Subchapter are promulgated for the purpose of preventing the entrapment of persons in motor vehicles.

(d) If the emission-related repairs are made at a diesel emission inspection center, each mechanic who repaired a specific rejected item shall sign his or her name on the center's Repair Invoice/Certification of Diesel Emissions next to the applicable rejection category. If the repairs were made or caused to be made elsewhere by the vehicle owner or lessee, or by another repair facility upon request by the diesel emission inspection center, each mechanic who reinspected the rejected item(s) shall sign his or her name on the center's Repair Invoice/Certification of Diesel Emissions.

(e) When a certificate of approval is affixed to a vehicle, the diesel emission inspection center shall cause to be imprinted on the Repair Invoice a stamp with the following:

NEW JERSEY
DIVISION OF MOTOR VEHICLES
DIESEL EMISSION INSPECTION CENTER

LICENSE NO.
STICKER NO.
DATE:

(f) The diesel emission inspection center license number, the certificate of approval number and the date of inspection shall be contained on the stamp. Each diesel emission inspection center shall purchase the above stamp from a commercial source.

(g) If the emission-related defects have been repaired, adjusted or corrected so as to conform to the applicable diesel emission standards established by the Department of Environmental Protection at N.J.A.C. 7:27-14, the vehicle shall be certified by affixing a certificate of approval to the vehicle. The certificate of approval shall be affixed to the vehicle in accordance with N.J.A.C. 13:20-47.10(d).

(h) The owner or lessee of a heavy-duty diesel truck or diesel bus rejected at a diesel emission inspection center for failing to meet the Department of Environmental Protection diesel emission standards set forth in N.J.A.C. 7:27-14 is required to have the vehicle repaired, adjusted or corrected within 45 days in order to legally operate it in New Jersey.

(i) A fee which a licensed diesel emission inspection center may charge for an initial inspection shall not exceed the center's hourly labor charge. The maximum fee for an initial inspection shall be posted in a prominent place on the business premises. A copy of the diesel emission inspection center's fee schedule shall be provided to the Division at the address specified in N.J.A.C. 13:20-47.4(a).

(j) Charges for initial inspections, reinspections, and repairs shall be listed separately on the Repair Invoice.

(k) A diesel emission inspection center shall not require, as a condition of performing the initial inspection, that any repairs, adjustments or corrections be performed at the diesel emission inspection center performing the inspection.

(l) Repairs, adjustments or corrections shall not be performed on a vehicle at the licensed diesel emission inspec-

tion center where the vehicle was inspected unless the customer signs a written acknowledgment and waiver that he or she understands his or her right to have the repairs, adjustments or corrections performed elsewhere and expressly waives his or her rights. The acknowledgment/waiver shall contain at least the following information:

I understand my right to have inspection repairs, adjustments and corrections performed elsewhere, and hereby choose to have such repairs, adjustments and corrections performed at this facility.

Customer's Signature _____ Date _____

(m) The diesel emission inspection center shall maintain certificates of approval for the applicable inspection cycle(s).

13:20-48.3 Credentials; Class I and II licensees

The driver shall present a valid driver's license, a valid motor vehicle registration certificate, International Registration Plan (IRP) documentation, if any, and a valid insurance identification card for the vehicle, if applicable. Photocopies of credentials shall not be accepted. Credentials shall be legible and shall contain no alterations.

13:20-48.4 Exhaust system; Class I and II licensees

(a) The following shall not be certified:

1. A heavy-duty diesel truck or diesel bus if there is evidence of exhaust gas leakage at any point in the exhaust system;

2. An exhaust system which has loose or worn components or has been patched; provided, however, that an exhaust system which has been properly welded and is in good condition may be certified;

3. An exhaust system in which all parts are not properly mounted. The entire exhaust system must be in such condition that it cannot burn or cause injury to any person. Exposed exhaust pipes, stacks or other parts of the exhaust system which might burn a person or cause injury must be protected in some manner; or

4. A heavy-duty diesel truck or diesel bus with any part of the exhaust system passing through the passenger compartment. The exit point for the exhaust gas shall be located so that dangerous amounts of exhaust gas will not enter the passenger compartment under normal vehicle use even with the windows open or the outside air inlets to the heater or air conditioner open. A replacement exhaust system is acceptable providing it is specifically manufactured for the vehicle by a company which guarantees that the exhaust system has a safe exhaust gas exit location.

(b) Notwithstanding (a) above, certification shall not be refused because a muffler has drain holes which were placed in it at the time of manufacture for drainage purposes.

13:20-48.5 Prescribed emission test procedures; Class I and II licensees; snap acceleration test

The snap acceleration test shall be conducted in accordance with N.J.A.C. 7:27-14 and 7:27B-4.

13:20-48.6 Prescribed emission test procedures; Class I and II licensees; rolling acceleration test

The rolling acceleration test shall be conducted in accordance with N.J.A.C. 7:27-14 and 7:27B-4.

13:20-48.7 Prescribed emission test procedures; Class I and II licensees; stall acceleration test

The stall acceleration test shall be conducted in accordance with N.J.A.C. 7:27-14 and 7:27B-4.

13:20-48.8 Prescribed emission test procedures; Class I and II licensees; chassis dynamometer test (Reserved)

13:20-48.9 Equipment calibration; Class I and II licensees

The smoke opacimeter shall be calibrated and maintained in accordance with the manufacturer's requirements and the general instructions for all tests adopted by the Department of Environmental Protection at N.J.A.C. 7:27B-4.2.

APPENDIX

AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A HEAVY-DUTY DIESEL TRUCK OR DIESEL BUS

<u>Item Reinspected</u>	<u>Time Required</u>
Credentials	1 hour [†]
Emission Control Apparatus	2 hour
Governor	2 hour
Exhaust System	2 hour
Emission Control System	3 hour
Engine Emissions (Opacity)	3 hour

[†]Note: If this is the only item to be reinspected on a vehicle, the reinspection time shall be considered to be .2 hour.