

**CHAPTER 53
AUTOBUSES**

Authority

N.J.S.A. 27:1A-5, 27:1A-6, 27:25-8c, 48:2-12, 48:4-2.1a , 52:14D-6, and October 5, 1978 Executive Reorganization Plan.

Source and Effective Date

R.2002 d.295, effective August 9, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Chapter Expiration Date

Chapter 53, Autobuses, expires on August 9, 2007.

Chapter Historical Note

Chapter 53, Autobuses, became effective with Subchapter 1, *Autobus Specifications for Van-Type Autobuses*, adopted as R.1979 d.124, effective March 23, 1979. See: 11 N.J.R. 263(a). Subchapter 2, *Autobus Specifications*, was originally adopted by the Board of Public Utilities as N.J.A.C. 14:11-2, and was filed and became effective prior to September 1, 1969. N.J.A.C. 14:11-2 was amended by R.1972 d.226, effective November 15, 1972; and R.1977 d.240, effective July 7, 1977. See: 4 N.J.R. 310(b); 9 N.J.R. 373(c). Pursuant to the Reorganization Plan for the Board of Public Utilities and the Department of Transportation (1978), and R.1982 d.30. N.J.A.C. 14:11-2 was recodified as N.J.A.C. 16:53-2, effective February 1, 1982. See: 14 N.J.R. 160(b). Subchapter 2, *Special Equipment for Vehicles Used to Transport Passengers in Wheelchairs*; Subchapter 4, *Modified Interiors or Autobuses Used for Charter or Special Bus Operations*; Subchapter 6, *Autobus Specifications for Small Bus*; Subchapter 7, *Specifications for Special Autobus Type Recreational Vehicles*; and Subchapter 8, *Specifications for Sedan-Type Autobuses*, were adopted as new rules; existing Subchapter 2 was recodified as Subchapter 3, *Autobus Specifications*; Subchapter 5, *Certificates*, was recodified from N.J.A.C. 14:11-3; and Subchapter 9, *Public Liability Insurance*, was recodified from 14:4-2, by R.1983 d.110, effective May 2, 1983. See: 15 N.J.R. 694(b). Amendments to Chapter 53 were adopted as R.1983 d.445, effective October 17, 1983. See: 15 N.J.R. 1771(a).

Pursuant to Executive Order No. 66(1978), Chapter 53 was readopted as R.1984 d.82, effective March 8, 1984. See: 16 N.J.R. 746(a). Pursuant to Executive Order No. 66(1978), Chapter 53 expired on March 19, 1989. Expired Chapter 53, including new Subchapter 10, *Designated Fees for Autobus Inspections*, was adopted as R.1989 d.392, effective July 17, 1989. See: 21 N.J.R. 2051(b).

Pursuant to Executive Order No. 66(1978), Chapter 53 was readopted as R.1994 d.346, effective June 13, 1994. See: 26 N.J.R. 1606(a), 26 N.J.R. 2798(a).

Pursuant to Executive Order No. 66(1978), Chapter 53 was readopted as R.1997 d.116, effective February 13, 1997. See: 29 N.J.R. 102(a), 29 N.J.R. 912(b).

Chapter 53, *Autobuses*, was readopted as R.2002 d.295, effective August 9, 2002. See: Source and Effective Date. See, also, section annotations.

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**APPENDIX A. AUTOBUS MAINTENANCE
INSPECTION**

**SUBCHAPTER 1. SPECIFICATIONS FOR VAN-
TYPE AUTOBUSES****16:53-1.1 Scope**

(a) Except as otherwise provided in this subchapter, the New Jersey Department of Transportation hereby adopts

and incorporates by reference the rules pertaining to the safety of equipment promulgated by the United States Department of Transportation set forth in 49 CFR Part 393, as amended and supplemented. A copy of 49 CFR Part 393 may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (202) 783-3238.

(b) Any van-type autobus in operation or acquired prior to September 1, 2002 and for which the New Jersey Department of Transportation has issued a certificate of compliance may continue in service as presently designed, constructed, and equipped. Any van-type autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any van-type autobus for which a contract of sale or purchase order has been entered into before September 1, 2002, and any new van-type autobus that is in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.

(c) The specifications set forth in this subchapter shall apply to all van-type autobuses engaged in interstate or intrastate common carrier service that are subject to the New Jersey Department of Transportation's jurisdiction and for which certificates of compliance of the New Jersey Department of Transportation are required.

(d) For purposes of this subchapter, a van-type autobus shall be defined as a motor vehicle used in the transportation of passengers for hire having a seating capacity of 15 adult passengers or less, not including the driver, and a gross vehicle weight rating (GVWR) of 10,000 pounds or less. For purposes of this subchapter, when referring to GVWR, the weight of each passenger shall be deemed to be 150 pounds.

(e) For purposes of this subchapter, the right or left side of a van-type autobus shall be determined by reference to the driver when sitting in a forward-facing position in the driver's seat.

As amended, R.1983 d.110, effective May 2, 1983.
See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

Section substantially amended.

Amended by R.1989 d.392, effective July 17, 1989.
See: 21 N.J.R. 1098(a), 21 N.J.R. 2051(b).

Acquisition cutoff date changed from January 2, 1983 to June 1, 1989.

Amended by R.2002 d.295, effective September 3, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.

16:53-1.2 Dimensions

(a) The overall length of the vehicle, including bumpers, shall not exceed 25 feet.

(b) The overall width of the vehicle shall not exceed 84 inches, measured at the widest point of the body. Mirrors, fender moldings and other similar accessories shall not be included in determining body width.

As amended, R.1983 d.110, effective May 2, 1983.
See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

(a): "225 inches" changed to "25 feet"; (c) deleted.

16:53-1.3 Chassis and body construction

(a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight (GVW) and the allowable payload, as recommended by the chassis manufacturer.

(b) Axles, springs, tires and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.

(c) The GVWR certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the van-type autobus in a location that is readily visible for inspection. At no time shall the GVWR be exceeded.

(d) Alteration of the wheelbase or the standard chassis frame shall be permitted when such alteration is performed by the chassis or unit manufacturer or by others provided that a certification of approval has been issued by the original chassis or unit manufacturer. An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer or by others provided that a certification of approval has been issued by the original chassis manufacturer. Such certification shall contain a detailed description of the alteration or extension.

(e) Body modifications, such as raising of the roof and ceiling, shall be performed by an established unit manufacturer or by others provided a certification of approval has been issued by the original manufacturer.

(f) Roof modifications shall meet the requirements of the roof crush resistance standard set forth in Federal Motor Vehicle Safety Standard No. 216 (49 CFR § 571.216), incorporated herein by reference, as amended and supplemented. A certificate confirming that the roof crush resistance standard has been met shall be presented at the time of inspection.

(g) If an alteration or modification changes the GVWR of a van-type autobus, the GVWR on the data plate that is affixed to the vehicle shall be corrected to accurately reflect the GVWR of the vehicle.

(h) The body shall be mounted on an appropriate chassis and shall be free of sharp or jagged edges.

(i) A front and rear bumper shall be provided. The front and rear bumper shall be attached to the main chassis frame and shall be of sufficient size and strength to permit the vehicle to be pushed or pulled without permanent distortion to the bumper or the chassis.

As amended, R.1983 d.110, effective May 2, 1983.
See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

Section substantially amended.

Amended by R.2002 d.295, effective September 3, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote (c) through (f); inserted a new (g); recodified existing (g) as (h); recodified existing (h) as (i) and rewrote the paragraph.

16:53-1.4 Equipment unit

(a) The van-type autobus shall be of the single unit type, with the motive power and passenger compartment mounted as one unit.

(b) Trailers of any type are prohibited.

Amended by R.2002 d.295, effective September 3, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

In (a), substituted "van-type autobus" for "vehicle".

16:53-1.5 Interior

(a) The interior shall be free of unnecessary projections. Body panels, seats, flooring, and all other component parts of the body shall be installed in a workmanlike manner and be free of sharp or jagged edges, protruding nails, screws, or similar objects.

(b) The interior shall be equipped with inner linings on the ceiling and side walls covering all body bows and body supports.

Amended by R.2002 d.295, effective September 3, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

16:53-1.6 Doors

(a) A van-type autobus shall be equipped with a door to the right and to the left side of the driver. A van-type autobus shall also be equipped with a door(s) on the right side center of the vehicle to provide ready access to and from seats in the passenger compartment. The door to the right side of the driver may be omitted on a van-type autobus not having a passenger area immediately to the right of the driver, provided the vehicle is equipped with a right side center door(s) and meets the requirements of Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented, pertaining to emergency egress.

(b) Doors shall be constructed and maintained so as to be readily opened from both inside and outside of the van-type autobus.

As amended, R.1983 d.110, effective May 2, 1983.
See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

Delete subsections (c) and (d).

Amended by R.2002 d.295, effective September 3, 2002.
See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.

16:53-1.7 Emergency exits

(a) A van-type autobus manufactured before September 1, 1973 shall meet the requirements of 49 CFR § 393.61 (b)(1), incorporated herein by reference, as amended and supplemented.

(b) A van-type autobus manufactured on and after September 1, 1973 shall have emergency exits conforming to Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented.

(c) On vehicle having a center aisle, in addition to the right side center door(s), shall be equipped with a rear door or doors, and the aisle leading to said doors shall not be less than 12 inches in width, nor shall the aisle be obstructed in any manner. (Exemptions to this shall be when the aisle does not extend completely to the rear due to said area being utilized as baggage compartment).

(d) Side center doors and accessible rear doors shall be conspicuously marked with the words "EMERGENCY DOOR" or "EMERGENCY EXIT" on the interior, on, above, or immediately adjacent to the door. The markings shall be in letters not less than two inches high and of a sharply contrasting color from the background.

As amended, R.1983 d.110, effective May 2, 1983.

See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

Section substantially amended.

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote (a), (b) and (d).

16:53-1.8 Aisles

(a) A van-type autobus having a center aisle shall have a center aisle with a minimum width of 12 inches of unobstructed clearance.

(b) A van-type autobus that is equipped with a rear seat located to the rear of the rearmost opening of the right side center door shall have an aisle not less than 10 inches in width leading from the rearmost seat to the right side center door opening.

As amended, R.1983 d.110, effective May 2, 1983.

See: 14 N.J.R. 1347(a), 15 N.J.R. 694(b).

Changed "11" to "10".

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Added a new (a); recodified former (a) as (b) and rewrote the paragraph; deleted former (b).

16:53-1.9 Seating

(a) A transverse and longitudinal seat space of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a transverse seat space of not less than 19 inches and a longitudinal seat space of not less than 15 inches.

(b) Seats shall be of substantial construction, and securely mounted to the floor and/or sides. Perimeter seating is permitted when two stanchions are provided evenly spaced on each side of the aisle.

(c) Seats shall have kneeroom of not less than seven inches.

(j) New Jersey Department of Transportation personnel shall perform unannounced audit inspections of self-inspected sedan-type autobuses to insure compliance with the self-inspection program.

As amended, R.1983 d.445, effective October 17, 1983.

See: 15 N.J.R. 877(b), 15 N.J.R. 1771(a).

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote (b) through (e) and (g) through (i); added (j).

Administrative correction.

See: 35 N.J.R. 1688(c).

16:53-8.26 Inspection and certificate of inspection

(a) All sedan-type autobuses for which certificates of compliance have been issued by the New Jersey Department of Transportation shall be inspected at least twice annually. Nothing herein shall limit the New Jersey Department of Transportation's authority to require more frequent inspections of such vehicles when the safety of the public so requires.

(b) A sedan-type autobus shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Department of Transportation, visible from the exterior on the lower right corner of the windshield.

(c) Sedan-type autobuses having an altered chassis shall be subject to quarterly inspection by New Jersey Department of Transportation personnel.

(d) Each sedan-type autobus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Department of Transportation's option as to location and frequency.

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.

SUBCHAPTER 9. PUBLIC LIABILITY INSURANCE

16:53-9.1 Certificate of insurance or evidence of self-insurance

(a) An operator of an autobus carrying passengers for hire in accordance with Title 48 of the Revised Statutes or 49 CFR Part 393 shall file with the New Jersey Department of Transportation three copies of a certificate of insurance or evidence of self-insurance, which shall be in the form set forth in (i) below, designated "Form E—Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" and "Form F—Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement."

(b) Such certificate or evidence shall be signed by the issuing insurance company or, in the case of a self-insurer, by an officer or agent thereof, and shall state that autobuses are insured in compliance with either Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable.

(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 New Jersey Department of Transportation.

(d) Certificates of insurance that have been accepted by the Commissioner of the New Jersey Department of Transportation in accordance with this section may be replaced by other certificates of insurance. The liability of the retiring insurer under such certificates of insurance shall be considered as having been terminated as of the effective date of the replacement certificate of insurance.

(e) Every certificate of insurance shall contain a provision for a continuing liability notwithstanding any recovery thereunder.

(f) Every certificate of insurance shall provide that cancellation thereof shall not be effective until at least 30 days' notice in writing of intention to cancel has been delivered to the Commissioner of the New Jersey Department of Transportation; such cancellation notice shall be in the form set forth in (i) below, designated "Form K—Uniform Notice of Cancellation of Motor Carrier Insurance Policies." If such cancelled insurance policy is reinstated, a new certificate, in the form set forth in (i) below, designated "Form E—Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" and "Form F—Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement," shall be filed with the Commissioner of the New Jersey Department of Transportation.

(g) Certificates of insurance shall be in accordance with the forms set forth in (i) below, designated "Form E—Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance."

(h) When a certificate of insurance is filed as provided in (i) below, there shall be attached to the original certificate of insurance ("Form E—Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance"), an endorsement designated "Form F—Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement."

(i) All insurance filings in accordance with Title 48 of the Revised Statutes shall be made with the New Jersey Department of Transportation, Commercial Bus Inspection Unit, PO Box 177, Trenton, New Jersey 08666-0177, on the insurance industry forms specified below:

1. Form E—"Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance," together with Form F below;

2. Form F—"Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement";

3. Form K—"Uniform Notice of Cancellation of Motor Carrier Insurance Policies."

(j) The Commissioner of the New Jersey Department of Transportation shall consider applications for permission to establish insurance funds in lieu of the filing of certificates of insurance. Until such permission is granted by the Commissioner of the New Jersey Department of Transportation, certificates of insurance shall be filed. Until otherwise ordered, all orders and certificates of the Commissioner of the New Jersey Department of Transportation authorizing or directing bus lines and street railway corporations operating buses to establish and maintain self-insurance funds shall continue in full force and effect insofar as said orders or certificates authorize the carriers therein named to be self-insurers. Every person, firm, association, and corporation that maintains a self-insurance fund pursuant to authority granted by the Commissioner of the New Jersey Department of Transportation shall procure, maintain, and file with the Commissioner a policy of insurance to cover the difference between the amounts such carrier is authorized to self-insure and the amounts specified in Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable.

(k) A certificate of insurance shall not be filed with the Commissioner of the New Jersey Department of Transportation unless a direct contractual relationship exists between the operator and the insurance company making the filing.

(l) All filings shall be executed in triplicate on the proper form as specified in (i) above. The Commissioner of the New Jersey Department of Transportation may refuse to accept a certificate of insurance if in his or her judgment it does not provide adequate protection for the public.

(m) No certificate of public convenience and necessity shall be issued nor shall any previously issued certificate remain in force, unless all of the foregoing provisions are complied with.

Emergency Amendment, R.1985 d.445, effective August 8, 1985 (expires October 7, 1985).

See: 17 N.J.R. 2149(a).

Added (d)4 and (n).

Amended by R.1985 d.574, effective November 18, 1985.

See: 17 N.J.R. 2149(a), 17 N.J.R. 2783(a).

(d)4 and (n) added.

Amended by R.1986 d.216, effective June 16, 1986.

See: 18 N.J.R. 626(a), 18 N.J.R. 1310(b).

Substituted "AIP Designation Notice Card" for "binder".

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.

16:53-9.2 Autobuses

(a) All autobuses shall be insured covering their operations in the State of New Jersey in the business of their operators and/or others, and whether in regular or other service, and whether on or off their regular routes.

(b) The driver of each autobus shall at all times when such autobus is in operation exhibit a certificate showing that the autobus is insured in conformity with Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable. Such certificate shall contain the name of the company by which the autobus is insured, the insurance policy number or, in the case of a self-insurer, a certificate signed by an officer or agent that it has qualified as a self-insurer, the manufacturer, year, vehicle identification number, and rated seating capacity of the autobus. Such certificate shall be posted in a conspicuous place in the autobus on the right-hand side of the driver above the windshield.

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

In (a), substituted "covering their operations" for "covering operation" and substituted "operators" for "owners"; rewrote (b).

SUBCHAPTER 10. DEPARTMENT OF TRANSPORTATION FEES FOR AUTOBUS INSPECTIONS

16:53-10.1 Emission inspection

The fee charged for an emission inspection performed by New Jersey Department of Transportation personnel in conjunction with a self-inspection certification shall be \$45.00 per vehicle.

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.

16:53-10.2 Brake inspection

The fee charged for a brake inspection performed by New Jersey Department of Transportation personnel in conjunction with a self-inspection certification shall be \$45.00 per vehicle.

Amended by R.2002 d.295, effective September 3, 2002.

See: 34 N.J.R. 1327(b), 34 N.J.R. 3099(a).

Rewrote the section.