

**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, 39:3-27.45, 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, 39:3-77, 39:3-81, 39:3-84a(10), 39:3B-5, 39:4-208, 39:5-30, 39:8-1, 39:8-2, 39:8-4, 39:8-4.1, 39:8-10, 39:8-57, 39:8-77, and 39:10-4.

Source and Effective Date

R.2001 d.20, effective December 13, 2000.
See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

Executive Order No. 66(1978) Expiration Date

Chapter 20, Enforcement Service, expires on December 13, 2005.

Chapter Historical Note

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

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).

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).

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 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).

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).

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).

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).

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).

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).

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).

Pursuant to Executive Order No. 66(1978), Subchapter 31, Alcohol-Countermeasures Regulations, was readopted as R.1984 d.7, effective January 4, 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 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 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).

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

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).

Pursuant to P.L. 1984, c.243 (N.J.S.A. 26:2B-9.1), 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 recodified as new rules at N.J.A.C. 13:24-5 by R.1989 d.542, effective October 16, 1989. See: 21 N.J.R. 2460(a), 21 N.J.R. 3299(c).

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).

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).

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).

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. 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).

Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted effective December 13, 1995, and 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 by R.1996 d.28. See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

Subchapter 46, Diesel Emission Inspection and Maintenance Program, was adopted as new rules, and Subchapter 47, Diesel Emission Inspection Center Licensing, was adopted as new rules by R.1997 d.392, effective September 15, 1997. See: 29 N.J.R. 1264(a), 29 N.J.R. 4149(a).

Subchapter 48, Inspection Standards and Test Procedures to be Used by Licensed Diesel Emission Inspection Centers, was adopted as new rules by R.1998 d.310, effective June 15, 1998. See: 30 N.J.R. 990(a), 30 N.J.R. 2262(b).

Subchapter 32, Motor Vehicle Reinspection Centers, was repealed and Subchapter 32, Inspection Standards and Test Procedures to be Used by Official Inspection Facilities, was adopted as new rules, Subchapter 33, Enforcement Service: Standards and Procedures to be Used by Licensed Reinspection Centers, was repealed and Subchapter 33, Inspection Standards and Test Procedures to be Used by Licensed Private Inspection Facilities, was adopted as new rules by R.1999 d.422, effective December 6, 1999. See: 31 N.J.R. 2466(a), 31 N.J.R. 4078(a).

Subchapter 41, Silver Star Insignias on License Plates, was adopted as new rules by R.2000 d.72, effective February 22, 2000. See: 31 N.J.R. 4223(b), 32 N.J.R. 711(b).

N.J.A.C. 13:20-49C.5, Capacity, Subchapter 49, Standards for School Buses Manufactured July 1985 through May 1993, Subchapter 49 Appendix, Subchapter 49A, Standards for Buses Used for Pupil Transportation Manufactured June, 1993 or Thereafter, Subchapter 49B, Chassis Standards, Subchapter 49C, Body Standards, Subchapter 49D, Specially Equipped School Bus Standards, 13:20-49E, Use of Vehicles as School Buses under the Jurisdiction of the Department of Transportation, Subchapter 49F, Small Vehicle Standards, Subchapter 49G, Inspection, Subchapter 49H, Insurance, were recodified from N.J.A.C. 6:21-4.1, Capacity, N.J.A.C. 6:21-5, Standards for School Buses Manufactured July 1985 through May 1993, N.J.A.C. 6:21 Appendix, N.J.A.C. 6:21-6, Standards for Buses used For Pupil Transportation Manufactured June, 1993 or Thereafter, N.J.A.C. 6:21-6A, Chassis Standards, N.J.A.C. 6:21-6B, Body Standards, N.J.A.C. 6:21-6C, Specially Equipped School Bus Standards, N.J.A.C. 6:21-8, Use of Vehicles as School Buses under the Jurisdiction of the Department of Transportation, N.J.A.C. 6:21-9, Small Vehicle Standards, N.J.A.C. 6:21-18, Inspection, and N.J.A.C. 6:21-17, Insurance, respectively, by administrative change. See: 32 N.J.R. 3090(a).

Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted by R. 2001 d.20, effective December 13, 2000, and Subchapter 40, Reflectorized Registration Plates, was repealed by R.2001 d.20, effective January 16, 2001. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. STANDARDS AND SPECIFICATIONS GOVERNING THE TYPES OF SUN-SCREENING MATERIALS AND PRODUCTS THAT MAY BE INSTALLED OR APPLIED TO WINDSHIELDS AND FRONT SIDE WINDOWS OF MOTOR VEHICLES FOR WHICH MEDICAL EXEMPTION CERTIFICATES HAVE BEEN ISSUED; STANDARDS GOVERNING THE ISSUANCE OF MEDICAL EXEMPTION CERTIFICATES

Authority

N.J.S.A. 39:3-75.2.

Source and Effective Date

R.2001 d.341, effective September 17, 2001.
See: 33 N.J.R. 2450(a), 33 N.J.R. 3343(a).

13:20-1.1 Definitions

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

“Action spectra” means those portions of the electromagnetic spectrum, such as UVA, UVB, near UV, and visible light, which elicit an adverse medical condition as specified in N.J.S.A. 39:3-75.1 and this subchapter.

“AS-1 line” means the mark at the edge of a sheet of glazing material that delineates the area of the windshield requisite for driving visibility and indicates that portion of the sheet of glazing material having a luminous transmittance of not less than 70 percent.

“Clear film” means a material that, when applied over factory-installed glazing, has a neutral gray appearance.

“Director” means the Director of the Division of Motor Vehicles in the Department of Transportation in the State of New Jersey.

“Division” means the Division of Motor Vehicles in the Department of Transportation in the State of New Jersey.

“Near UV” means the portion of the visible electromagnetic spectrum that appears violet to blue in color, having wavelengths that range from 400 nanometers to 492 nanometers.

“Optical properties” means the percentage of visible light and/or UV transmittance, visible light reflection, and other parameters of approved sun-screening materials and products as supplied by the manufacturer and installed or applied by registered sun-screening material installation facilities.

“Reflectance” means the percentage of visible light reflected by the sun-screening material or product.

“Tinted film” means a material of any color that is applied over factory-installed glazing.

“Transmittance” means the percentage of visible light and/or UV radiation that passes through a sun-screening material or product and the factory-installed glazing to which it is attached.

“Ultraviolet” or “UV” means the ultraviolet portion of the electromagnetic spectrum, having wavelengths that range from 290 nanometers to 400 nanometers.

“UVA” means the portion of the UV spectrum that ranges from 320 nanometers to 400 nanometers in wavelength.

13:20-24.9 Mark on windscreen

Each windscreen shall be permanently labelled at an easily visible location with the manufacturer's trade name and number, which shall be the same trade name and number used in the approval application.

13:20-24.10 Approval of helmets

(a) After January 1, 1968, no person shall sell, offer for sale, or distribute any protective helmets for use by the operators of motorcycles, or protective helmets for the use of passengers thereon, unless they are of a type approved by the Director of the Division of Motor Vehicles.

(b) Letters requesting approval of protective helmets shall be sent to the Director, Division of Motor Vehicles.

13:20-24.11 Helmet approval specifications

Applications for approval of safety helmets shall be accompanied by a copy of the Certificate of Approval from the American Association of Motor Vehicle Administrators, showing that the helmet meets the specifications of Standard Z90.1-1966 of the USA Standards Institute, unless the AAMVA has sent a Confirmation Certificate of Approval directly to the New Jersey Division of Motor Vehicles.

13:20-24.12 Reflectorized surface on helmets

Each approved helmet shall have a reflectorized surface on both sides, or have securely affixed thereto reflectorized material on both the left and right side of the helmet. Such reflectorization must cover an area of at least four square inches on each side of the helmet. If reflectorized material, such as one-inch by four-inch strip of reflectorized safety tape is attached to each side of the helmet, it must be affixed in a permanent, weather-proof manner.

13:20-24.13 Identification label on helmets

Each approved helmet shall be permanently labelled with the manufacturer's trade name and number, which shall be the same trade name and number used in the approval application.

13:20-24.14 Helmet straps

Each approved helmet must be equipped with either a neck or chin strap.

13:20-24.15 Test reports

An application for approval of goggles, face shields or windscreens shall be accompanied by a test report from a recognized independent testing laboratory, and such report shall confirm that the goggles, face shields or windscreens for which approval is requested meet or exceed the specifications required by this subchapter.

Amended by R.2001 d.20, effective January 16, 2001.
See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

Substituted "confirm" for "reveal" following "such report shall".

13:20-24.16 Samples

One properly identified sample of the goggles, face shields or windscreens must be submitted to the Director at the time the application for approval is made.

13:20-24.17 Notice of approval

When the Director determines that the conditions of approval have been met, a notice of approval, will be issued.

13:20-24.18 Temporary approval

Any goggles, face shield or windscreen, in retail stock on or before March 31, 1968, and sold to a consumer on or before June 30, 1968, may receive temporary approval; provided, however, the manufacturer submits to the Director of the New Jersey Division of Motor Vehicles a notarized statement, signed by a responsible officer of the company, certifying that such device meets the requirements of this Subchapter, and supplies a label which can be permanently affixed to the device showing the manufacturer's trade name and number, which shall be the same trade name and number of the device which has been certified to meet the requirements of this Subchapter.

13:20-24.19 Withdrawal of approval

The right is reserved to withdraw approval of a product at any time and for any cause deemed reasonable by the Director, or the Director may require new approvals at any time it is deemed necessary or reasonable.

Amended by R.2001 d.20, effective January 16, 2001.
See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

13:20-24.20 Inspection of motorcycles

(a) Motorcycles shall be inspected pursuant to N.J.S.A. 39:8-1 on a biennial basis, except as otherwise provided by law or regulation. Motorcycle inspection certificates of approval shall expire on the last day of the months April through October, inclusive. Any motorcycle which is operated after the expiration of the inspection certificate of approval shall be subject to enforcement action.

(b) Except as otherwise provided at N.J.A.C. 13:20-28, the owner or lessee of a motorcycle, new or used, registered in New Jersey for the first time shall be issued a temporary authorization certificate. Such motorcycles which are registered during the calendar months April through October, inclusive, shall be presented for inspection within 14 days of the date of issuance of the temporary authorization certificate. Such motorcycles which are registered during the calendar months November through March, inclusive, shall be presented for inspection no later than the last day of the calendar month designated by the Director of the Division of Motor Vehicles for such inspection. The motorcycle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or regulation.

Amended by R.1996 d.28, effective January 16, 1996.

See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

Rewrote (a).

Amended by R.1999 d.422, effective December 6, 1999.

See: 31 N.J.R. 2466(a), 31 N.J.R. 4078(a).

Rewrote the section.

13:20-24.21 Motorcycle license plates and tabs

Effective at the time the 1970 motorcycle registrations are issued, only one license plate and/or one license plate tab shall be issued for each motorcycle, to be displayed on the rear of the motorcycle.

SUBCHAPTER 25. SAFETY GLAZING MATERIAL; OTHER EQUIPMENT

13:20-25.1 Letter requesting approval

A letter requesting approval of a particular device, safety glazing materials or other equipment shall be directed to the Director, Division of Motor Vehicles by the manufacturer of the device, safety glazing material or other equipment.

13:20-25.2 Application for approval; report

Applications for approval shall be accompanied by a report from a recognized independent testing laboratory and such report shall reveal that the device, safety glazing material or other equipment for which approval is requested, meets or exceeds the specifications and standards established by the Society of Automotive Engineers or the American Standards Association, or specifications and standards adopted by the Director or the American Association of Motor Vehicle Administrators.

As amended, R.1981 d.15, eff. January 16, 1981.

See: 12 N.J.R. 606(b), 13 N.J.R. 149(d).

Added: American Association of Motor Vehicle Administrators.

13:20-25.3 Samples

Properly identified samples of a device, safety glazing material or other equipment must be submitted to the Director for test and record purposes.

13:20-25.4 Determination of approval

(a) The Director shall determine from the testing laboratory reports and examination of the item submitted whether or not it meets the established specifications and standards.

(b) The Director shall by letter inform the applicant of his or her determination.

Amended by R.2001 d.20, effective January 16, 2001.

See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

In (b), inserted "or her" preceding "determination".

13:20-25.5 Safety glazing material approval procedure

(a) Standards and specifications for the approval of safety glazing materials shall conform to the American National Standard "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways," Z26.1a-1977, January 26, 1977, as supplemented by Z26.1a-1980, July 3, 1980.

(b) Safety glazing materials conforming to Z26.1-1966 must be used on all motor vehicles manufactured on and after September 1, 1967, and registered in New Jersey, and may be used on vehicles manufactured prior to September 1, 1967.

(c) Those safety glazing materials which were approved prior to the date of this regulation may continue to be used on vehicles manufactured prior to September 1, 1967.

Amended by R.1986 d.80, effective April 7, 1986.

See: 18 N.J.R. 47(a), 18 N.J.R. 703(a).

(a) substantially amended.

Amended by R.1996 d.28, effective January 16, 1996.

See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

In (a) substituted "Z26.1a-1977, January 26, 1977, as supplemented by Z26.1a-1980, July 3, 1980" for "Z26.1a-1969, March 7, 1969".

SUBCHAPTER 26. COMPLIANCE WITH DIESEL EMISSION STANDARDS AND EQUIPMENT, PERIODIC INSPECTION PROGRAM FOR DIESEL EMISSIONS, AND SELF-INSPECTION OF CERTAIN CLASSES OF MOTOR VEHICLES

13:20-26.1 Applicability

This subchapter shall apply to all vehicles registered in this State.

Amended by R.2001 d.20, effective January 16, 2001.

See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

Rewrote the section.

13:20-26.2 Definitions

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

"Director" means the Director of the Division of Motor Vehicles in the Department of Transportation in the State of New Jersey.

"Division" means the Division of Motor Vehicles in the Department of Transportation in the State of New Jersey.

"Lessee" means any person who exercises control or who operates a motor vehicle under an agreement or contract for 30 days or more.

(t) Notwithstanding (r) above, if a motor vehicle bearing a “48 hour” inspection rejection sticker is presented at a licensed private inspection facility for reinspection and the defect(s) previously deemed to constitute a hazard to the public safety has been repaired so as to conform to the inspection standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-4, but another rejected item(s) not deemed to constitute a hazard to the public safety has not been repaired, adjusted, or corrected so as to conform to the inspection standards set forth in this subchapter or the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-4, the licensed private inspection facility shall remove the “48 hour” inspection rejection sticker previously affixed to the motor vehicle and shall present the motor vehicle inspection report or inspection card for such motor vehicle to the operator thereof. The motor vehicle inspection report or inspection card shall be an indication that adjustments, corrections, or repairs to the motor vehicle must be made and the motor vehicle presented for reinspection within the period of time set forth in N.J.A.C. 13:20-7.5.

(u) Charges for initial inspections, reinspections, and repairs shall be listed separately on the inspection or repair invoice.

(v) A licensed private inspection facility shall not require, as a condition of performing the initial inspection, that any repairs, adjustments, or corrections be performed at the private inspection facility performing the inspection.

(w) Repairs, adjustments, or corrections shall not be performed on a motor vehicle at the licensed private inspection facility where the motor 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 _____

(x) Any motor vehicle presented for initial inspection shall undergo a complete inspection. Once the inspection has commenced it shall not be terminated until the motor vehicle is either certified or rejected. An inspection may be terminated prior to completion when the condition of the motor vehicle being inspected makes it unsafe to complete such inspection.

(y) Licensed private inspection facilities shall not be authorized to issue certificates of waiver. Certificates of waiver shall only be issued by official inspection facilities in accordance with N.J.A.C. 13:20-32.2 for motor vehicles which satisfy all of the requirements of N.J.A.C. 13:20-43.13.

(z) A licensed private inspection facility shall not issue a replacement inspection certificate of approval or certificate of waiver for any motor vehicle for which the current inspection certificate of approval or certificate of waiver has been lost, stolen, destroyed, or defaced, or for any motor vehicle which has had its windshield replaced. Such a replacement inspection certificate of approval or certificate of waiver shall only be issued by an official inspection facility in accordance with N.J.A.C. 13:20-32.2(q).

Amended by R.2001 d.358, effective October 15, 2001.
 See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

In (f), inserted “or Class II” following “Class I”; in (h), substituted “someone not under the direction of the licensee” for “any other person authorized by the motor vehicle owner or lessee” and substituted “7:27B-5” for “7:27B-4”; in (q), rewrote first sentence.

13:20-33.3 Credentials; Class I and II licensees

The driver of a motor vehicle presented for inspection shall present a valid driver’s license for the class of motor vehicle being operated, a valid New Jersey motor vehicle registration certificate, and a valid New Jersey insurance identification card for the motor vehicle, if applicable. Photocopies or facsimiles of credentials shall not be accepted. Credentials shall be legible and shall contain no alterations.

13:20-33.4 License plates; Class I and II licensees

(a) A motor vehicle shall not be certified if the license plates are not in the possession of the operator when the motor vehicle is presented for inspection, or if the letters and/or numbers on the license plates are illegible.

(b) Certification of a motor vehicle shall not be refused because the following requirements are not met; however, the motorist shall be advised to have the condition corrected:

1. The license plates shall be clear and distinct and free from grease, dirt, or other blurring material so that they are plainly visible at all times of the day and night;
2. The license plates shall be securely attached to the front and rear of the motor vehicle, respectively;
3. The license plates shall be displayed not less than 12 inches nor more than 48 inches from the ground in a horizontal position, right side up and right side out; provided, however, that the rear license plate may be displayed more than 48 inches from the ground on tank trucks, trailers and other commercial vehicles carrying inflammable liquids and on sanitation vehicles which are used to collect, transport and dispose of garbage, solid wastes and refuse;
4. The letters and/or numbers on the license plates shall agree with the letters and/or numbers on the registration certificate of the motor vehicle;

5. A license plate shall not be obstructed by a trailer hitch, snow plow bracket, bumper, bumper guard, sign, mounting bolt head, reflector, or by any other device or material;

6. The license plates shall not be covered by glass, plastic, or similar material;

7. The license plates shall not be bent or defaced; or

8. The registration plate decal(s) issued by the Division for use on the front and rear license plates shall indicate the month and year in which the registration certificate for the motor vehicle expires and shall be firmly attached to the front and rear license plates.

13:20-33.5 Steering and suspension; Class I and II licensees

(a) The suspension system shall consist of the basic elements originally provided by the motor vehicle manufacturer and shall be geometrically arranged in accordance with the manufacturer's specifications. No suspension system component shall be replaced unless the replacement component meets or exceeds the quality and performance standards established by the vehicle manufacturer. The motor vehicle shall have a suspension system that allows movement between the unsprung axles and wheels and the chassis body and shall be equipped with a shock-absorbing device at each wheel location. The suspension system shall be capable of providing a minimum relative motion of plus or minus two inches. When any corner of the motor vehicle is depressed and released, the damping device shall stop the vertical body motion within two cycles. The use of spacer blocks between the front axle and leaf springs is prohibited.

(b) Starting with the front wheels in the straight-ahead position, the steering wheel shall be turned in one direction until there is a perceptible movement of a front wheel. When the steering wheel is turned in the other direction, a point on the steering wheel rim shall not move more than three inches before there is a perceptible return movement of the front wheel under observation. When this test is performed on motor vehicles which are equipped with power steering, the transmission shall be in "neutral" and the engine shall be running.

(c) With the front end of the motor vehicle lifted, the front and rear of a front tire shall be grasped and an attempt made to turn the tire and wheel assembly to the right and to the left. The free movement at the front or rear of the tire shall not exceed one-quarter inch. The top and bottom of a front tire shall then be grasped and moved in and out. The movement of the tire shall not exceed the manufacturer's specifications. Both front tires shall be tested in this manner.

(d) The steering wheel shall be turned through the limit of travel in both directions. There shall be no binding or jamming in the steering wheel mechanism.

(e) The steering wheel shall be a minimum of 13 inches in diameter.

(f) There shall be no wear or breakage of components of the steering or suspension system which adversely affects the safe operation of the motor vehicle. There shall be no visible caster or camber.

(g) Shock absorbers shall be properly installed and in proper operating condition. Shock absorbers shall not exhibit oil on the shock absorber housing attributable to leakage by the seal.

(h) No portion of a motor vehicle shall extend below the bottom of the wheel rim line at maximum suspension deflection.

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

Rewrote (a); added (h).

13:20-33.6 Front parking lights; Class I and II licensees

(a) Front parking lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "P," along with the manufacturer's name or trademark, are often on the lens of such lights.

(b) Front parking lights shall be white, yellow, or amber in color, and shall be securely mounted on the motor vehicle so as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels. There shall be one front parking light mounted on each side of the vertical centerline of the motor vehicle at the same height and as far apart as practicable.

(c) Certification of a motor vehicle shall not be refused for the following reasons; however, the motorist shall be advised to have the defect corrected:

1. One or both of the front parking lights are inoperative; or

2. A front parking light lens is damaged or missing. Where the front turn signal lights are combined with the front parking lights, the motor vehicle shall not be refused certification because of a cracked lens; however, if the lens is cracked and a portion of the lens is separated or missing, the motor vehicle shall be refused certification.

13:20-33.7 Glazing; Class I and II licensees

(a) All glazing used on motor vehicles manufactured after July 1, 1935, shall be an approved type of glazing which is legibly and permanently marked with the manufacturer's name, trademark, DOT number, "AS" number, or other distinctive designation under which the glazing was approved, so as to be visible when the glazing is installed in the motor vehicle. The proper type of glazing shall be used for each location in a motor vehicle. The approved locations for the various types of glazing are as follows:

1. AS-1: Mandatory in windshields but may be used for any other window in a motor vehicle;
2. AS-2: Anywhere except windshields;
3. AS-3: Rear side windows on buses;
4. AS-4, AS-5, AS-6 and AS-7: Rear windows of convertibles and windows (except windshields) which can be readily removed without the use of tools;
5. AS-8 and AS-9: Rear windows of buses;
6. AS-10: Bullet-resistant windshields;
7. AS-11: Bullet-resistant windows except windshields; and
8. AS-12 and AS-13: Windows (except windshields) which can be readily removed without the use of tools.

(b) All openings in a motor vehicle which were originally manufactured with glazing shall be equipped with an approved type of glazing.

(c) Certification of a motor vehicle shall be refused if the motor vehicle is equipped with glazing which causes undue or unsafe distortion of visibility for the driver, or is equipped with unduly fractured, broken, cracked, discolored, scratched, or deteriorated glazing, or is equipped with glazing with sharp edges.

(d) A motor vehicle, other than a police vehicle or a motor vehicle for which a medical exemption certificate has been issued by the Division in accordance with N.J.S.A. 39:3-75.1 et seq., shall not be certified which has tinted spray or plastic material added to previously approved glazing in the front windshield or windows, vents, wings, deflectors, or side shields to the immediate right or left of the driver, because such condition changes the vision and light transmission properties of the glazing in areas where driver visibility shall not be obscured or obstructed; provided, however, tinted spray or plastic material may be applied to previously approved glazing in the front windshield if such spray or material extends no lower than six inches from the top of the front windshield or such spray or material does not extend below the AS-1 marking on the front windshield.

(e) A motor vehicle shall not be certified which has defrosters of the "electric element" type installed on any window which obstruct the driver's vision. Motor vehicles manufactured with the heating element as an integral part of an approved type of glazing shall not be refused certification.

(f) The window on the driver's side shall be capable of being readily opened to permit arm direction signals to be made by the driver. The presence of approved turn signals does not satisfy this requirement except on buses and trucks over 80 inches in width.

(g) Any motor vehicle may have the rear window and/or side windows to the rear of the driver tinted or covered in some manner so as to partially obscure the driver's vision and any motor vehicle registered for commercial purposes and constructed on a truck chassis (including noncommercial trucks registered pursuant to N.J.S.A. 39:3-8.1) may have the rear window and/or side windows to the rear of the driver painted, tinted, or constructed in some manner so as to obstruct or obscure the driver's vision, provided that the motor vehicle is equipped with an exterior mirror on each side of the motor vehicle. The high-mounted rear stoplight on motor vehicles required to be equipped with such a light shall not be obstructed in any manner. If glazing material remains in any of the window openings specified in this subsection, the approval markings shall be visible.

(h) A motor vehicle shall not be certified which has mirror-type material on any window.

Amended by R.2001 d.358, effective October 15, 2001.
See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

Rewrote (d); in (g), inserted the second sentence.

13:20-33.8 Obstruction to driver's vision; Class I and II licensees

(a) No accessory or other object shall be mounted in such a manner as to interfere with the driver's vision.

(b) Signs, posters, stickers, or other non-transparent material shall not be placed upon the windshield, wings, deflectors, side shields, or front side windows of any motor vehicle; provided, however, the inspection certificate of approval, certificate of waiver, inspection rejection sticker, an automatic vehicle identification system transponder approved by the Director in accordance with N.J.A.C. 13:20-10, or any other sticker approved by the Director, is permitted.

(c) A motor vehicle shall not be certified which has an air scoop on the engine hood if the scoop is so high that it obstructs more than a three inch high area of the windshield glass. The height of the obstructed area of the windshield glass shall be measured by placing a straight edge on the top of the scoop and holding the straight edge in a level position with one end contacting the windshield glass.

13:20-33.9 Horn; Class I and II licensees

(a) Certification of a motor vehicle shall be refused for any of the following reasons:

1. A horn which is inoperable;
2. A horn which is not audible under normal conditions from a distance of not less than 200 feet;
3. A horn which is not securely fastened to the motor vehicle;
4. A horn which has a broken button or switch, or a horn which does not have a button or switch. (For

example, a horn which is activated by grounding a bare wire shall not be certified.);

5. A horn which has an activating button or switch beyond the reach of the driver;

6. A horn button which is located in a place that is not readily conspicuous to the driver, or a horn button which requires the driver to take his or her eyes off of the road to activate the horn;

7. A horn ring which is broken so as to be likely to cause injury or to snag clothing; or

8. A motor vehicle which is equipped with a siren, whistle, or bell (except an authorized emergency vehicle or unless a permit for same has been issued by the Director in accordance with N.J.A.C. 13:24); provided, however, that any motor vehicle may be equipped with a theft alarm signal device which is installed so that it cannot be used by the driver as an ordinary warning signal.

(b) Certification of a motor vehicle shall not be refused for the following reasons; however, the motorist shall be advised to have the condition corrected:

1. A horn which emits an unreasonably loud or harsh sound. An unreasonably loud horn, such as an air horn, is permitted on a motor vehicle, provided the motor vehicle is also equipped with a standard horn for use in residence or business districts; or

2. A horn which can only be sounded by a portion of the horn activation device.

13:20-33.10 Windshield wipers; Class I and II licensees

(a) Every motor vehicle having a windshield shall be equipped with at least one windshield wiper in proper operating condition to provide clear vision for the driver. A motor vehicle manufactured with only one windshield wiper shall have the wiper so located that it cleans the portion of the windshield directly in front of the driver in order for the driver to safely operate the motor vehicle.

(b) If a motor vehicle was originally manufactured with two windshield wipers, both wipers shall operate properly.

(c) A windshield wiper shall be capable of operating at a speed necessary to provide the driver a clear view ahead under all conditions of weather.

(d) Windshield wiper blades shall not be damaged, hardened, deteriorated, missing, or of an improper type (such as a blade designed for a flat windshield installed on a curved windshield), or of an improper size.

(e) A windshield wiper blade shall be held against the windshield with adequate pressure to provide the driver a clear view ahead under all conditions of weather.

(f) A windshield wiper shall clean the full area of the windshield for which it was designed.

(g) A windshield wiper control shall be constructed and installed as to be operated or controlled by the driver and shall be in proper operating condition.

13:20-33.11 Clearance lights; Class I and II licensees

(a) Clearance lights are lights which show to the front and rear of the vehicle, respectively, mounted on a permanent part of the vehicle as near as practical to the upper left and right extreme edges so as to indicate the overall width and height of the vehicle.

(b) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with two amber clearance lights on the front of the vehicle and two red clearance lights on the rear of the vehicle.

(c) Clearance lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letters "P1" or "P2" or "PC," along with the manufacturer's name or trademark, are on the lens of such lights in most cases.

(d) Every clearance light shall be permanently and securely mounted on a permanent part of the vehicle.

(e) A combination clearance and side-marker light is a single light which fulfills the requirements of both a clearance light and a side-marker light.

13:20-33.12 Turn signals and hazard warning signals; Class I and II licensees

(a) Every motor vehicle, other than a noncommercial motorcycle, shall be equipped with two front and two rear turn signals, except that a passenger vehicle manufactured before July 2, 1954, is not required to be equipped with turn signals. When any motor vehicle, regardless of the date of its manufacture, is equipped with turn signals, the turn signals shall be in proper operating condition.

(b) All turn signal and hazard warning signal systems including lights, flashers and operating units shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name and trademark, are often on such devices. In the case of front and rear turn signal lights, the letter "I" or the letter "D" is often on the lens of such lights.