

## ENFORCEMENT SERVICE

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**13:20-31.27 Windshield wipers**

(a) The following are the out-of-service criteria pertaining to windshield wipers:

1. Any power unit has a missing windshield wiper or missing part that renders it ineffective; or
2. Any power unit has an inoperative windshield wiper or damaged part that renders it ineffective.

**13:20-31.28 Wiring**

(a) The following are the out-of-service criteria pertaining to wiring:

1. Wires passing through metal openings are not protected by grommets;
2. Wires are not fastened securely at intervals of not more than 18 inches; or
3. Wire connectors are exposed.

**13:20-31.29 Doors; specially equipped school buses**

(a) The following are the out-of-service criteria pertaining to doors on specially equipped school buses:

1. A door is not equipped with a warning device that is actuated when the door is not securely closed and the ignition is in the "on" position;
2. A door is equipped with such a warning device that is not in proper operating condition;
3. A door is not equipped with a switch that prevents the lifting mechanism from operating when the power lift platform door is closed; or
4. A door is equipped with such a switch that is not in proper operating condition.

**13:20-31.30 Restraining devices; specially equipped school buses**

(a) The following are the out-of-service criteria pertaining to restraining devices on specially equipped school buses:

1. The attachment framework or anchorage devices for seat belts, restraining harnesses, or other restraining devices do not conform to FMVSS No. 209 (49 CFR § 571.209), incorporated herein by reference, as amended and supplemented, and FMVSS No. 210 (49 CFR § 571.210), incorporated herein by reference, as amended and supplemented; or
2. The wheelchair occupant restraint system does not conform to FMVSS No. 222 (49 CFR § 571.222), incorporated herein by reference, as amended and supplemented.

**13:20-31.31 Wheelchairs and other mobile seating devices; specially equipped school buses**

(a) The following is the out-of-service criterion pertaining to wheelchairs and other mobile seating devices on specially equipped school buses:

1. A school bus that has in its passenger compartment an electric-powered wheelchair equipped with liquid electrolyte batteries.

**13:20-31.32 Credentials; insurance**

(a) The following are the out-of-service criteria pertaining to insurance credentials:

1. An insurance identification card is not presented for the school bus;
2. An expired insurance identification card is presented for the school bus;
3. An altered insurance identification card is presented for the school bus;
4. A mutilated insurance identification card, which renders the card illegible, is presented for the school bus;
5. A photocopy or facsimile of an insurance identification card is presented for the school bus;
6. An insurance identification card not in the form specified by the Department of Banking and Insurance in N.J.A.C. 11:3-6 is presented for the school bus;
7. An insurance identification card that has an expiration date of more than 14 months from the effective date is presented for the school bus;
8. A temporary insurance identification card without an effective date is presented for the school bus; or
9. An expired insurance binder is presented for the school bus.

**13:20-31.33 Placement out-of-service**

When an inspection of a school bus discloses the existence of an out-of-service violation(s), such school bus shall be placed out-of-service by authorized representatives of the Motor Vehicle Commission or by law enforcement authorities.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division".

**13:20-31.34 Duration of out-of-service order**

(a) The school bus shall be placed out-of-service:

1. Until all school bus out-of-service violations are repaired on-site; or

2. Until the school bus is towed by the operator to a repair facility or maintenance garage and all school bus out-of-service violations are repaired.

### 13:20-31.35 Operation of school bus prohibited

The school bus shall not be operated until all out-of-service violations are remedied and such remedial action is either certified or approved by representatives of the Motor Vehicle Commission.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division".

### 13:20-31.36 Direction to inspection site

Any authorized representative of the Motor Vehicle Commission may direct any school bus operated in this State to proceed immediately to a designated inspection site for inspection; provided, however, this section shall not apply to a school bus with school children on board.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division".

### 13:20-31.37 Examination of driver's operating credentials

Any authorized representative of the Motor Vehicle Commission may demand and examine the driver's operating credentials.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division".

### 13:20-31.38 Driver out-of-service violations

(a) A driver shall be immediately placed out-of-service and shall not be permitted to continue driving a school bus if such driver:

1. Does not have a commercial driver license (CDL);
2. Has been issued a CDL, but said license is suspended or revoked;
3. Is in possession of an improper class of CDL;
4. Is in possession of a CDL without proper endorsement(s), including the required School Bus Endorsement;
5. Has been issued a CDL with proper endorsement(s), but said endorsement(s) is suspended or revoked;
6. Is operating a school bus in violation of a CDL restriction;
7. Is not in possession of satisfactory evidence of continuing physical fitness or such evidence is not on file with the Motor Vehicle Commission; or

8. Does not have on file with the Motor Vehicle Commission proof of good character.

(b) In addition to (a) above, the driver shall be subject to the penalties set forth in N.J.S.A. 39:3-10.18.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (a)4, substituted "School Bus Endorsement" for "passenger endorsement"; and in (a)7 and (a)8, substituted "Motor Vehicle Commission" for "Division".

### 13:20-31.39 Provision of notice to driver

A school bus operator shall annually provide to each driver employed by the operator a notice containing a copy of N.J.A.C. 13:20-30 and this subchapter.

### 13:20-31.40 Coercion of driver by operator

No school bus operator shall compel, coerce, or otherwise cause a driver to include false information on a daily school bus inspection report.

## SUBCHAPTER 32. INSPECTION STANDARDS AND TEST PROCEDURES TO BE USED BY OFFICIAL INSPECTION FACILITIES

### 13:20-32.1 Definitions

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

"Certificate of approval" means an inspection sticker issued by an official inspection facility, a licensed private inspection facility, or a State specialty inspection facility certifying that a motor vehicle complies with the requirements of Title 39 and Title 26 of the Revised Statutes, N.J.A.C. 13:20-43, this subchapter or N.J.A.C. 13:20-33, whichever is applicable, and N.J.A.C. 7:27-15 and 7:27B-5 regarding the inspection of motor vehicles.

"Certificate of waiver" means an inspection sticker issued by an official inspection facility evidencing that a motor vehicle has successfully passed a safety inspection but that the requirements of compliance with N.J.A.C. 13:20-43 and the rules adopted by the Department of Environmental Protection pertaining to emission or OBD inspection standards have been waived by the Motor Vehicle Commission for the particular inspection cycle for which the waiver is granted.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"EPA" means the United States Environmental Protection Agency.

“Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the maximum loaded weight of a single or combination (articulated) vehicle.

“Motor Vehicle Commission” or “Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (N.J.S.A. 39:2A-4).

“Official inspection facility” means a test-only inspection facility that the State Treasurer has contracted for pursuant to section 4 of P.L. 1995, c.112.

“On-board diagnostics” or “OBD” means an automotive diagnostic system complying with California OBD regulations or EPA OBD II regulations effective for model year 1996 and newer motor vehicles.

“Private inspection facility” means any person, partnership, or corporation licensed by the Motor Vehicle Commission pursuant to N.J.A.C. 13:20-44 to perform the motor vehicle inspections required by N.J.S.A. 39:8-1.

“State specialty inspection facility” means a test-only inspection facility that is operated by the Motor Vehicle Commission to inspect certain motor vehicles as specified in N.J.A.C. 13:20-7.3(d).

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Amended “Certificate of waiver”; added “EPA” and “On-board diagnostics” or “OBD”.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted “Motor Vehicle Commission” for “Division” throughout; added definitions “Chief Administrator” and “Motor Vehicle Commission”; and deleted definitions “Director” and “Division”.

### **13:20-32.2 General provisions; official inspection facilities**

(a) This subchapter contains the inspection standards and test procedures to be used by official inspection facilities when inspecting and certifying automobiles, trucks, modified buses with a capacity of not more than 15 passengers which have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission, and motorcycles for compliance with inspection standards.

(b) Official inspection facilities shall be authorized to engage in the inspection, reinspection and certification of automobiles, trucks, modified buses with a capacity of not more than 15 passengers which have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission, and motorcycles; provided, however, official inspection facilities shall not inspect modified buses with a capacity of more than 15 passengers, school buses, buses which are subject to inspection by the Motor Vehicle Commission’s Commercial Bus Inspection and Investigation Unit, jitneys as defined in N.J.A.C. 13:20-

44.2, or motor vehicles with elevated chassis height which are subject to inspection in accordance with N.J.A.C. 13:20-37.

(c) An official inspection facility shall be authorized to affix an inspection certificate of approval on a motor vehicle upon:

1. Initial inspection as certification of compliance with inspection requirements; and
2. Reinspection as certification that defects for which the motor vehicle was initially rejected have been repaired, adjusted, or corrected to bring the motor vehicle into compliance with inspection requirements.

(d) An official inspection facility shall be authorized to affix a certificate of waiver on a motor vehicle which satisfies all of the requirements of N.J.A.C. 13:20-43.13.

(e) If an automobile, truck, or modified bus with a capacity of not more than 15 passengers registered in New Jersey conforms 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-5, the motor vehicle shall be certified by an official inspection facility by removing the previous inspection certificate of approval, certificate of waiver, or inspection rejection sticker, if any, and replacing it with a current inspection certificate of approval. The inspection certificate of approval issued by an official inspection facility shall be affixed to the lower left corner of the windshield inside the passenger compartment of the motor vehicle, approximately three inches from the bottom of the windshield and approximately four inches from the left side of the windshield, but in every case, the inspection certificate of approval shall be completely visible from the front of the motor vehicle. The inspection certificate of approval shall be affixed in an upright position.

(f) If an automobile, truck, or modified bus with a capacity of not more than 15 passengers registered in New Jersey does not 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-5, an official inspection facility shall present the motor vehicle inspection report or inspection card for such motor vehicle to the operator thereof, and shall affix an inspection rejection sticker to the lower left corner of the windshield inside the passenger compartment of the motor vehicle directly above the previous certificate of approval or certificate of waiver, if any, affixed to the windshield. If there is no previous certificate of approval or certificate of waiver affixed to the windshield, an official inspection facility shall affix an inspection rejection sticker and a numerical month indicator to the lower left corner of the windshield inside the passenger compartment of the motor vehicle. If the motor vehicle that has failed inspection is a used motor vehicle that has been presented for inspection upon transfer of ownership in accordance with N.J.A.C. 13:20-7.4(c)1, 7.4(d), or 7.4(e)1, an official inspection facility shall remove the previous

inspection certificate of approval, certificate of waiver, collector motor vehicle windshield sticker, and/or inspection rejection sticker, if any, affixed to the windshield and shall affix an inspection rejection sticker and a numerical month indicator to the lower left corner of the windshield inside the passenger compartment of the motor vehicle. The inspection rejection sticker shall be an indication that adjustments, corrections, or repairs to the motor vehicle which has failed inspection 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.

(g) Notwithstanding (f) above, if an automobile, truck, or modified bus with a capacity of not more than 15 passengers registered in New Jersey does not 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-5 and the nature of the defect(s) found is such as to constitute a hazard to the public safety so as to require immediate repairs to such motor vehicle, an official inspection facility shall present the motor vehicle inspection report or inspection card for such motor vehicle to the operator thereof, shall remove the previous inspection certificate of approval, certificate of waiver and/or inspection rejection sticker, if any, and shall affix a "48 hour" inspection rejection sticker to the lower left corner of the windshield inside the passenger compartment of the motor vehicle. A defect which constitutes a hazard to the public safety so as to require immediate repairs to a motor vehicle shall include, but not be limited to, the items specified in N.J.A.C. 13:20-7.6(b). The "48 hour" inspection rejection sticker shall be an indication that the defect(s) deemed to constitute a hazard to the public safety must be repaired and the motor vehicle presented for reinspection within the period of time set forth in N.J.A.C. 13:20-7.6(a).

(h) If a motor vehicle registered in New Jersey satisfies all of the requirements of N.J.A.C. 13:20-43.13 for the issuance of a certificate of waiver, an official inspection facility shall remove the previous inspection certificate of approval, certificate of waiver and/or inspection rejection sticker and shall replace it with a current certificate of waiver. The certificate of waiver issued by an official inspection facility shall be affixed to the lower left corner of the windshield inside the passenger compartment of the motor vehicle, approximately three inches from the bottom of the windshield and approximately four inches from the left side of the windshield, but in every case, the certificate of waiver shall be completely visible from the front of the motor vehicle. The certificate of waiver shall be affixed in an upright position.

(i) If a motorcycle registered in New Jersey conforms to the inspection standards set forth in this subchapter, the motorcycle shall be certified by an official inspection facility by affixing a current inspection certificate of approval to the right side of the rear license plate, equally centered between the upper right and lower right corners of the license plate, in such a position as to be easily visible for enforcement

purposes. The inspection certificate of approval shall be affixed in an upright position. If there is a previous certificate of approval affixed to the rear license plate at the location specified in this subsection, the new certificate of approval shall be affixed so as to cover the previous certificate of approval. If there is a previous certificate of approval affixed to the rear license plate at a location other than that specified in this subsection, the new certificate of approval shall be affixed at the location specified in this subsection.

(j) If a motorcycle registered in New Jersey does not conform to the inspection standards set forth in this subchapter, the official inspection facility shall present the inspection report or card for such motorcycle to the operator thereof. The inspection report or card shall be an indication that adjustments, corrections, or repairs to the motorcycle which has failed inspection must be made and the motorcycle presented for reinspection within the period of time set forth in N.J.A.C. 13:20-7.5.

(k) A motor vehicle inspection report, issued to an owner or lessee of a motor vehicle with elevated chassis height, a motor vehicle which has been modified at the direction of the New Jersey Department of Labor and Workforce Development, Division of Vocational Rehabilitation Services, a reconstructed vehicle, or a salvage motor vehicle that is subject to inspection at a State specialty inspection facility in accordance with N.J.A.C. 13:20-7.3(d), shall be marked "MUST BE REINSPECTED AT A STATE SPECIALTY INSPECTION FACILITY." When a motor vehicle inspection report is marked in this manner, an official inspection facility shall neither reinspect nor certify the motor vehicle, as it must be returned to a State specialty inspection facility for such reinspection and certification.

(l) If a motor vehicle is presented at an official inspection facility for reinspection, the official inspection facility may reinspect the motor vehicle and certify it if the rejected item(s) has been repaired, adjusted, or corrected 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-5, and if there are no obvious safety, emission-related, or OBD-related defects, provided the motor vehicle is presented for reinspection within 45 days of the date of the most recent inspection rejection. If the motor vehicle is presented for reinspection after such date, or if there are obvious safety, emission-related, or OBD-related defects, the motor vehicle shall be subject to a complete reinspection.

(m) If a motor vehicle is presented at an official inspection facility for reinspection and the rejected item(s) have 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-5, the official inspection facility shall not issue an inspection rejection sticker to replace the inspection rejection sticker previously affixed to the motor vehicle by an official

inspection facility, nor shall the official inspection facility issue an inspection rejection sticker to replace the inspection certificate of approval or certificate of waiver previously defaced by a licensed private inspection facility in accordance with N.J.A.C. 13:20-33.2(l) as an indication that the motor vehicle has failed inspection.

(n) If a motor vehicle bearing a “48 hour” inspection rejection sticker is presented at an official inspection facility for reinspection and the defect(s) previously deemed to constitute a hazard to the public safety has not been repaired, the official inspection facility shall not issue a “48 hour” inspection rejection sticker to replace the “48 hour” inspection rejection sticker previously affixed to the motor vehicle.

(o) Notwithstanding (m) above, if a motor vehicle bearing a “48 hour” inspection rejection sticker is presented at an official 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-5, 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-5, the official inspection facility shall remove the “48 hour” inspection rejection sticker previously affixed to the motor vehicle and shall affix an inspection rejection sticker and a numerical month indicator to the lower left corner of the windshield inside the passenger compartment of the motor vehicle. The inspection rejection sticker 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.

(p) 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.

(q) Any motor vehicle for which the current inspection certificate of approval or certificate of waiver has been lost, stolen, destroyed, or defaced, or any motor vehicle that has had its windshield replaced, may be presented at the exit end of an official inspection facility for the issuance of a replacement inspection certificate of approval or certificate of waiver. Such a replacement inspection certificate of approval or certificate of waiver shall be affixed to the motor vehicle provided the operator thereof presents 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, and further provided that there are no obvious safety, emission-related, or OBD-related defects.

(r) Any motor vehicle purchased in a foreign jurisdiction for which a temporary authorization certificate has been issued by the Motor Vehicle Commission in accordance with N.J.A.C. 13:20-7.4(b) shall be presented at the exit end of an official inspection facility for the issuance of a new motor vehicle inspection decal. A new motor vehicle receiving a decal pursuant to N.J.A.C. 13:20-7.4(b) and this subsection shall be subject to inspection not later than four years from the last day of the calendar month in which the decal was issued for such motor vehicle, and the decal affixed to such motor vehicle pursuant to N.J.A.C. 13:20-7.4(b) and this subsection shall so indicate. Such a decal shall be affixed to the motor vehicle provided the operator thereof presents 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, and further provided that there are no obvious safety, emission-related, or OBD-related defects.

(s) Any motor vehicle that has been found to be in proper operating condition at an on-road inspection pursuant to N.J.S.A. 39:8-2g and that is due for inspection pursuant to N.J.S.A. 39:8-1 within the two-month period following the calendar month of the on-road inspection approval may, in accordance with N.J.A.C. 13:20-29.2(a), be presented at the exit end of an official inspection facility for the issuance of an inspection certificate of approval for the biennial inspection cycle applicable to such motor vehicle. Such an inspection certificate of approval shall be affixed to the motor vehicle provided the operator thereof presents 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, and further provided that there are no obvious safety, emission-related, or OBD-related defects.

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), substituted “7:27B-5” for “7:27B-4” and added the third sentence; in (l), substituted “7:27B-5” for “7:27B-4” and substituted “45 days of the date of the most recent inspection rejection” for “the period of time set forth in N.J.A.C. 13:20-7.5, 7.6(a) or 43.14(g), whichever is applicable”; added (r) and (s).

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In (l) and (q) through (s), inserted “, or OBD-related” preceding “defects” throughout.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted “Motor Vehicle Commission” for “Division” throughout; in (b), substituted “Motor Vehicle Commission’s” for “Division’s”; in (k), inserted “and Workforce Development” following “Labor”; and in (r), substituted “four” for “two”.

**13:20-32.3 Credentials; official inspection facilities**

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.

**13:20-32.4 License plates; official inspection facilities**

(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. Registration plate decal(s), which may be issued by the Motor Vehicle Commission 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, if issued, be firmly attached to the front and rear license plates.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)8, substituted "Registration" for "The registration", inserted "which may be" following "decal(s)", substituted "Motor Vehicle Commission" for "Division" and inserted "if issued," following "shall".

**13:20-32.5 Steering and suspension; official inspection facilities**

(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) A motor vehicle having a GVWR of 8,500 pounds or less shall be subject to a steering wheel lash test. Certification of a motor vehicle shall be refused if the steering wheel lash test results in a steer-ahead change of less than .1 degree.

(c) A motor vehicle having a GVWR of 8,500 pounds or less shall be subject to a steering linkage test. Certification of a motor vehicle shall be refused if the steering linkage test results in a difference between total front toe left and right of .4 degrees or more.

(d) With the front wheels of a motor vehicle having a GVWR of more than 8,500 pounds 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.

(e) With the front end of a motor vehicle having a GVWR of more than 8,500 pounds 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.

(f) A motor vehicle that is inspected in an inspection lane that is not equipped with automated electronic steering test

equipment shall be inspected in accordance with (d) and (e) above regardless of the motor vehicle's GVWR.

(g) 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.

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

(i) 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.

(j) 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.

(k) 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 a new (f) and recodified former (f) through (i) as (g) through (j); added (k).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

### **13:20-32.6 Front parking lights; official inspection facilities**

(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.

### **13:20-32.7 Glazing; official inspection facilities**

(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 Motor Vehicle Commission 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 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), added the second sentence.  
Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (d).

### 13:20-32.8 Obstruction to driver's vision; official inspection facilities

(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 Chief Administrator in accordance with N.J.A.C. 13:20-10, or any other sticker approved by the Chief Administrator, 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.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (b).

### 13:20-32.9 Horn; official inspection facilities

(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 Chief Administrator 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.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (a)8.

**13:20-32.10 Windshield wipers; official inspection facilities**

(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.

**13:20-32.11 Clearance lights; official inspection facilities**

(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 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.

**13:20-32.12 Turn signals and hazard warning signals; official inspection facilities**

(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.

(c) Front turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Front turn signal and hazard warning signal lights shall emit a flashing white or amber light visible for a distance of 500 feet.

(d) Rear turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Rear turn signal and hazard warning signal lights shall emit a flashing red or amber light visible for a distance of 500 feet.

(e) All turn signal lights shall be permanently and securely mounted in such a manner so as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels.

(f) A turn signal light shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material if such obstruction reduces the visible area of the turn signal light to less than three and one-half square inches on a passenger automobile, truck, or modified bus which is less than 80 inches in overall width, or reduces the visible area of the turn signal light to less than 12 square inches on a truck which is 80 inches or more in overall width.

(g) Turn signal lights shall flash from 50 to 130 times per minute. The "on" period of the flashes shall be long enough to permit the bulb filaments to reach full brightness.

(h) All turn signal light systems and components shall be in proper operating condition. Certification of a motor vehicle shall not be refused because a turn signal light has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

**13:20-32.13 Reflectors; official inspection facilities**

(a) Reflectors are devices designed and used on vehicles to give an indication to an approaching driver by reflected light.

(b) Reflectors 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 "A" (for Class A reflectors) or the letter "B" (for Class B reflectors), along with the manufacturer's name or trademark, are on such reflectors in most cases.

(c) Passenger vehicles manufactured before July 2, 1954, shall have one Class A or Class B red reflector mounted on the rear of the vehicle.

(d) Passenger automobiles manufactured after July 1, 1954, shall have two Class A red or two Class B red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.

(e) All passenger automobiles with commercial registration and all trucks and buses shall have two Class A red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.

(f) A truck 80 inches or more in width manufactured after January 1, 1965, shall have one Class A amber reflector mounted on each side of the vehicle as far to the front as practicable and one Class A red reflector mounted on each side of the vehicle as far to the rear as practicable.

(g) The mounted height of a reflector shall be not less than 15 inches nor more than 60 inches from the level surface upon which the vehicle stands. Reflectors shall be permanently and securely mounted on a permanent part of the vehicle.

(h) Any reflector, otherwise properly mounted, may be securely installed on flexible strapping or belting provided that under conditions of normal operation it reflects light in the required direction.

(i) The mounted height of a reflector shall be measured from the center of the reflector to the level surface upon which the vehicle stands.

**13:20-32.14 Identification lights; official inspection facilities**

(a) Identification lights are used in groups of three in a horizontal row which show to the front and rear of a motor vehicle, respectively, and have light centers spaced not less than six inches nor more than 12 inches apart.

(b) A truck 80 inches or more in width manufactured after January 1, 1965, shall be equipped with three amber identification lights on the front of the vehicle and three red identification lights on the rear of the vehicle. If the cab is not more than 42 inches wide at the front roof line, a single identification light at the centerline of the cab shall be deemed to comply with the requirements for front identification lights.

(c) Identification 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 "P" or "P2," along with the manufacturer's name and trademark, are on the lens of such lights in most cases.

(d) Every identification light shall be permanently and securely mounted on a permanent part of the vehicle as close as practical to the vertical centerline and the top of the vehicle. No part of front identification lights or their mountings shall extend below the top of the vehicle windshield.

**13:20-32.15 Side-marker lights; official inspection facilities**

(a) Side-marker lights are lights on the left and right sides near the front and rear of a motor vehicle that show to the side and are intended to indicate vehicle length.

(b) A truck 80 inches or more in width manufactured after January 1, 1965, shall be equipped with one amber side-marker light mounted on each side at or near the front of the vehicle and one red side-marker light mounted on each side at or near the rear of the vehicle. Side-marker 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.

(c) Every side-marker light shall be permanently and securely mounted on a permanent part of the vehicle. Side-marker lights may be mounted at optional height on the side of the vehicle.

(d) 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.

#### **13:20-32.16 Taillights and license plate light; official inspection facilities**

(a) Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two red taillights and at least two red reflectors, one at each side of the vertical centerline at the same level and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one red taillight and one red reflector.

(b) Taillights 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 "T," along with the manufacturer's name or trademark, are often on the lens of such lights.

(c) Taillights shall exhibit a red light visible from a distance of 500 feet to the rear of the vehicle. The lights shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material.

(d) Taillights shall be permanently and securely mounted on a permanent part of the vehicle. The mounted height of taillights, as measured from the center of the lens to the level surface upon which the vehicle stands, shall be not less than 15 inches nor more than 72 inches. On any vehicle designed for carrying flammable liquids as cargo, the taillights may be mounted higher than 72 inches. When two taillights are required, they shall be mounted at the same level and spaced as far apart laterally as practical.

(e) Certification of a motor vehicle shall not be refused because a taillight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(f) If a motor vehicle is equipped with two or more taillights on each side, it shall not be refused certification because some of the taillights are not operative, provided at least one taillight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle shall be refused if the license plate light is inoperative. License plate 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 "L," along with the manufacturer's name or trademark, are often on the lens of such lights.

#### **13:20-32.17 Stoplights; official inspection facilities**

(a) Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two stoplights, one at each side of the vertical centerline at the same height and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one stoplight. All passenger automobiles manufactured on or after September 1, 1985, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and modified buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less, manufactured on or after September 1, 1993, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and modified buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less and whose vertical centerline, when the vehicle is viewed from the rear, is not located on a fixed body panel but separates one or two moveable body sections, such as doors, and which lacks sufficient space to install a single high-mounted stoplight on the centerline above such body sections, and which is manufactured on or after September 1, 1993, shall, in addition, be equipped with two high-mounted rear stoplights.

(b) All stoplights 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 "S," along with the manufacturer's name or trademark, are often on the lens of such lights.

(c) Stoplights shall exhibit a red or amber color and shall be visible from a distance of 500 feet to the rear of the vehicle when activated by application of the brake. The stoplights, including high-mounted rear stoplights, shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material.

(d) Stoplights shall be permanently and securely mounted on a permanent part of the vehicle. Certification of a motor vehicle shall not be refused because a stoplight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(e) If a motor vehicle is equipped with two or more stoplights on each side, it shall not be refused certification because some of the stoplights are not operative, provided at least one stoplight on each side of the motor vehicle is

operative. However, the motorist shall be advised to have the defect corrected.

(f) If a motor vehicle is equipped with a high-mounted rear stoplight(s) with multiple bulbs, it shall not be refused certification because some of the stoplight bulbs are not operative, provided at least one such high-mounted rear stoplight bulb is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle which is equipped with a high-mounted rear stoplight shall be refused if the stoplight is so wired that it illuminates when the turn signal lights are activated.

(h) If the high-mounted rear stoplight is mounted inside the motor vehicle, means shall be provided to minimize reflections from the light upon the rear window glazing that may be visible to the driver when viewed in the interior rear view mirror. Certification of a motor vehicle which is equipped with such a high-mounted rear stoplight shall be refused if adequate means are not provided to minimize such reflections.

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

Added (h).

#### 13:20-32.18 Wheels; official inspection facilities

(a) Wheels shall turn freely and the lateral or radial runout of the rim bead shall not exceed the motor vehicle manufacturer's specifications.

(b) Wheels shall be securely mounted and there shall be no visible cracks, elongated bolt holes, broken bolts, missing bolts or nuts, indication of repair by welding, or other defects which adversely affect the safe operation of the motor vehicle.

#### 13:20-32.19 Tires; official inspection facilities

(a) The tread on each tire shall not be less than  $\frac{3}{32}$  of an inch deep.

(b) Many tires have tread depth indicators that become exposed when the tread depth is less than  $\frac{3}{32}$  of an inch. Tread depth indicators shall be inspected and a tire rejected if it is worn so that the indicators are visible in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire. For tires without tread depth indicators, the tread depth shall be measured with a tire tread depth gauge.

(c) Tires shall be free from chunking, bumps, knots, or bulges evidencing cord, ply, or tread separation from the casing or other adjacent materials. Tire cords or belting materials shall not be exposed.

(d) There shall not be any mismatch in nominal tire size, construction, or profile between tires on the same axle, or any deviation from the motor vehicle manufacturer's tire recommendations. Tire tread shall not protrude beyond the fenders.

(e) Tires on motor vehicles registered for use on a public highway shall not be marked "FOR FARM USE ONLY," "OFF HIGHWAY USE ONLY" or "FOR RACING USE ONLY." Tires which were originally manufactured with extra undertread material and are marked "REGROOVABLE" may be regrooved below the original tread depth.

(f) Studded tires may not be used on a public highway in New Jersey earlier than November 15 or later than April 1 of any winter season. Certification of a motor vehicle shall not be refused because of the improper use of studded tires; however, the motorist shall be advised to have the condition corrected.

#### 13:20-32.20 Exhaust system; official inspection facilities

(a) The following shall not be certified:

1. An exhaust system in which the muffler is missing, defective, or not in proper operating condition;

2. An exhaust system if there is evidence of tampering with emission control apparatus in violation of N.J.A.C. 7:27-15.7;

3. An exhaust system if there is evidence of exhaust gas leakage at any point in the system;

4. An exhaust system if there is a muffler cut-out, muffler bypass or any similar device, or any change or modification to the exhaust system which causes excessive noise;

5. 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;

6. An exhaust system in which all parts are not properly mounted. The entire exhaust system shall 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 shall be protected in a permanent and effective manner; or

7. An exhaust system installed in a manner that any part thereof passes through the passenger compartment of the motor vehicle. 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 provided it is specifically manufactured for the motor vehicle by a company which guarantees that the exhaust system has a safe exhaust gas exit location.

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

**13:20-32.21 Prescribed emission or on-board diagnostics test(s); official inspection facilities**

With respect to each gasoline-fueled or bi-fueled motor vehicle presented for inspection, an official inspection facility shall conduct the emission or OBD test(s) specified for such motor vehicle at N.J.A.C. 13:20-43.8 in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "or OBD" following "the emission".

**13:20-32.22 Emission test equipment and on-board diagnostics inspection equipment maintenance; official inspection facilities**

The emission test equipment and OBD inspection equipment shall be 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-5.2.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "and OBD inspection equipment" following "emission test equipment" and deleted "calibrated and" preceding "maintained".

**13:20-32.23 Headlights; official inspection facilities**

(a) Every motor vehicle, other than a motorcycle, shall be equipped with at least two headlights at the same level with an equal number on each side of the front of the motor vehicle. Headlights shall emit only a white light and shall be tested for proper operation.

(b) Headlights shall be properly installed so that their beams are readily adjustable, both vertically and horizontally, and their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation.

(c) Headlights 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.

(d) A motor vehicle having a headlight with a cracked, broken, or missing lens, or a headlight with insufficient light intensity, shall not be certified; provided, however, that a motor vehicle shall not be refused certification because the

headlight has a bullseye-type hole which has been repaired in a proper manner.

(e) There shall be no auxiliary equipment, such as colored spray, on the lens, visor, reflector, or other attachment which is not included in 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.

(f) On motor vehicles equipped with four headlights, the Type 2 headlight shall be mounted above or to the outside of the Type 1 headlight. A motor vehicle which is equipped with recessed headlights shall, when such headlights are illuminated, have nothing covering them or in front of them except clear glass. A 1969 or later model year motor vehicle equipped with headlights which, when in use, have any styling or other features, such as a glass cover or grille in front of the lens, shall not be certified.

(g) Retractable headlights shall be in the fully open position when the headlights are tested.

(h) Motor vehicles which are used for plowing snow may have an extra set of headlights mounted above the plow. Switching shall be provided so that either set of headlights may be used, but not both.

(i) A motor vehicle shall not be refused certification because of a missing headlight rim or rims; however, the motorist shall be advised to have the defect corrected.

**13:20-32.24 Rear view mirrors; official inspection facilities**

(a) A motor vehicle shall not be certified if it is not equipped with at least one rear view mirror. A passenger automobile manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side.

(b) A commercial motor vehicle manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side, except that every such vehicle so constructed or loaded as to obstruct or obscure a rear view from an interior mirror shall, in lieu of an interior mirror, be equipped with an exterior mirror on the side of the vehicle opposite the driver's side.

(c) Mirrors shall be securely mounted and located and adjusted so as to provide the driver adequate rear view vision. Mirrors shall not obstruct the driver's forward vision. Concave or convex mirrors shall not be used in place of the interior mirror or the driver's side exterior mirror.

(d) A motor vehicle shall not be certified if a mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges.

(e) Mirrors shall be capable of adjustment to a fixed horizontal and vertical position.

**13:20-32.25 Miscellaneous lights; official inspection facilities**

(a) All miscellaneous lights used on motor vehicles shall be of a type and color approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name and trademark, are often on the lens of such lights. In addition, the letters listed below often appear on the following lights:

1. Fog lights = F;
2. Spot lights = O;
3. Emergency warning lights = W or W1 or W3; or
4. Supplemental driving or passing lights = Y or Z.

(b) Any motor vehicle may be equipped with not more than two auxiliary driving lights mounted on the front of the vehicle at a height of not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands. Auxiliary driving lights include, but are not limited to, fog lights, passing lights, and supplemental driving lights. Auxiliary driving lights shall be properly installed so that their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation.

1. Fog lights are auxiliary driving lights which may be used with the low beam headlights to provide general illumination ahead of a motor vehicle. A fog light shall be white, yellow, or amber in color. Approved fog lights shall meet the requirements of SAE J-583d, incorporated herein by reference. The Standards of the Society of Automotive Engineers (SAE) may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

2. Passing lights are also known as auxiliary low beam driving lights and are designed to supplement the lower beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-582a, incorporated herein by reference. Passing lights shall be wired so that they are controlled by a switch separate from the headlight switch.

3. Supplemental driving lights are auxiliary driving lights which may be used to supplement the upper beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-581, incorporated herein by reference. Supplemental driving lights shall be wired so that they are controlled by a switch separate from the headlight switch.

(c) A spot light is a light which can be aimed at will. Any motor vehicle may be equipped with not more than one spot light, but the use of any such spot light for driving purposes is prohibited. The letters "SAE" and the letter "O," along with the manufacturer's name or trademark, are often on the lens

of approved type spot lights. Approved spot lights shall meet the requirements of SAE J-591b, incorporated herein by reference.

(d) Any motor vehicle may be equipped with not more than two side cowl or fender lights which shall emit a white or yellow light without glare.

(e) Any motor vehicle may be equipped with not more than one running board courtesy light on each side thereof which shall emit a white or yellow light without glare.

(f) Any motor vehicle may be equipped with one or more back-up lights, either separately or in combination with other lights. Back-up lights shall be white in color. No back-up light shall be illuminated when the motor vehicle is in forward motion.

(g) On motor vehicles used for plowing snow, there may be auxiliary driving lights connected to either the parking light system or the low beam headlight system. If sealed beam headlight units are used for the auxiliary driving lights, they shall be wired so that the taillights will be illuminated when the auxiliary driving lights are turned on. Auxiliary turn signal lights are also permitted on such motor vehicles.

(h) Flashing lights are prohibited on motor vehicles (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24) except as a means for indicating right or left turns or for hazard warning signals.

(i) A motor vehicle driven by an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-5. An identification card (permit) issued pursuant to N.J.A.C. 13:24-5 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(j) A motor vehicle driven by an active member in good standing of the New Jersey Wing of the Civil Air Patrol may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-7. A permit issued pursuant to N.J.A.C. 13:24-7 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(k) All miscellaneous lights shall be permanently and securely mounted on a permanent part of the vehicle in such a manner as to reduce the likelihood of their being obscured by mud or dirt thrown up by the wheels.

(l) Two or more lighting devices and reflectors may be combined optically, but the following combinations are prohibited:

1. A turn signal with a headlight; or

2. A clearance light with a taillight or an identification light.

(m) Motor vehicles may be equipped with other lights in addition to those which are specified in this subchapter. The manufacturer's name or trademark and the letters "SAE" often appear on the lens of such lights, along with the identification letters shown below:

1. E: Side turn signal lights (mounted on vehicle sides);
2. K: Cornering lights;
3. R: Back-up lights;
4. U: Supplemental high-mounted stop and turn signal lights;
5. V: Liquid burning emergency flares;
6. W4: Emergency reflex reflectors; or
7. X: Emergency lanterns.

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), added the second sentence; added a new (j) and recodified former (j) through (l) as (k) through (m).  
 Amended by R.2006 d.249, effective July 3, 2006.  
 See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).  
 Substituted "Chief Administrator" for "Director" in (h).

**13:20-32.26 Wiring and switching; official inspection facilities**

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

1. The wiring is not in proper condition, is improperly installed, or is so located as to cause damage;
2. Any connection that is not secure or shows signs of corrosion;
3. The switches are not in proper condition or do not function properly;
4. Any light circuit that does not light the proper filament when the appropriate switch position is applied; or
5. Any defect in wiring and/or switching which adversely affects the lighting performance of any exterior light.

(b) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches, provided the safe operation of the motor vehicle is not adversely affected.

(c) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches but are not located in the original switch position(s), provided the safe operation of the motor vehicle is not adversely affected.

**13:20-32.27 Headlight beam indicator light; official inspection facilities**

Certification of a motor vehicle shall not be refused because the headlight beam indicator light is inoperative or does not operate properly; however, the motorist shall be advised to have the defect corrected.

**13:20-32.28 Turn signal and hazard warning signal indicator lights; official inspection facilities**

(a) Certification of a motor vehicle shall not be refused because of an inoperative turn signal indicator light and/or an inoperative hazard warning signal indicator light; however, the motorist shall be advised to have the defect corrected.

(b) If any turn signal indicator light is not readily visible to the driver, there shall be an illuminated indicator to give the driver a clear and unmistakable indication that the turn signal system is turned "on."

(c) In motor vehicles equipped with a single turn signal indicator, a separate hazard warning signal indicator shall flash and the turn signal indicator may flash while the hazard warning signal system is turned "on."

(d) In motor vehicles equipped with right and left turn signal indicators, both indicators or separate indicators shall flash simultaneously while the hazard warning signal system is turned "on."

(e) If a separate indicator light is used for the hazard warning signal system, it shall emit a red color and have a minimum area equivalent to a one-half inch diameter circle.

**13:20-32.29 Antenna; official inspection facilities**

Any antenna mounted on a motor vehicle shall be securely attached so as not to swing or project in a hazardous manner. Certification of a motor vehicle shall not be refused because of an insecure antenna; however, the motorist shall be advised to have the condition corrected.

**13:20-32.30 Body; official inspection facilities**

The motor vehicle body panels, floor pan and other sections shall be in good condition, and shall not be rusted out or missing. The motor vehicle body shall be free of rips and sharp edges which could cause injury.

**13:20-32.31 Bumpers; official inspection facilities**

Bumpers, if present, shall be securely mounted on a motor vehicle and in good condition with no sharp or protruding parts or edges which could cause injury. Front and rear bumper heights shall be in accordance with the motor vehicle manufacturer's specifications.

**13:20-32.32 Doors; official inspection facilities**

(a) The motor vehicle doors and all door operating devices, handles, buttons, hinges, and latches shall be in proper operating condition. A method of opening the door from the outside is not required on motor vehicles with fabric tops which are equipped with glazing material which can be readily removed without the use of tools.

(b) Motor vehicles designed and manufactured with doors shall be equipped with doors.

(c) Motor vehicles designed and manufactured without doors shall be equipped with seat belts or a strap, chain, or restraining device of some type across the openings.

**13:20-32.33 Fenders and fender flaps; official inspection facilities**

(a) The motor vehicle fenders shall be securely mounted and shall have no rips or sharp edges which could cause injuries to persons.

(b) Fenders shall cover the width of the tire tread. The rear fenders shall be designed and installed so as to prevent the wheels of the motor vehicle from throwing dirt, water, or other material onto other motor vehicles. Fender flaps may be attached to the rear fenders to provide the necessary wheel coverage.

**13:20-32.34 Fuel system; official inspection facilities**

Fuel leakage at any point in the motor vehicle fuel system shall be cause for rejection. The fuel tank and piping shall be securely mounted and in proper condition, and the fuel tank shall be properly capped.

**13:20-32.35 Hood; official inspection facilities**

Motor vehicles shall be equipped with an engine hood. The hood shall be properly secured and latched, and all hinges, latches, and other components shall be in proper operating condition.

**13:20-32.36 Lettering; official inspection facilities**

(a) Vehicles used for commercial purposes on a street or highway, except for passenger automobiles and vehicles owned or leased by a pharmacy and utilized for the transportation or delivery of drugs, shall have conspicuously displayed on the vehicle, or on a name plate attached to the vehicle, the name of the owner, lessee, or lessor of the vehicle, and the name of the municipality in which the owner, lessee, or lessor has his or her principal place of business. Franchised public utilities and operators of fleets of 50 or more commercial vehicles shall be exempted from displaying the name of the municipality, provided that their vehicles display a corporate identification number. The sign or the name plate shall be in plain view and the lettering shall be as close as possible to three inches high. Certification of a commercial vehicle shall not be refused because the vehicle

fails to display the owner's name and business address; however, the motorist shall be advised to have the condition corrected.

(b) A noncommercial truck, registered as a passenger vehicle pursuant to N.J.S.A. 39:3-8.1, is issued passenger vehicle license plates by the Motor Vehicle Commission. Such a noncommercial truck shall not have any advertising, signs, lettering, names, or addresses on its exterior, excepting trademarks and labels of the manufacturer and dealer. Certification of a noncommercial truck shall not be refused because the truck displays any type of lettering; however, the motorist shall be advised to have the condition corrected.

(c) Certification of a vehicle with a GVWR of 26,001 pounds or more shall not be refused because the GVWR is not displayed on the vehicle; however, the motorist shall be advised to have the condition corrected.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (b).

**13:20-32.37 Ornaments; official inspection facilities**

All motor vehicle ornaments shall be free of sharp parts or edges which could cause injury to persons.

**13:20-32.38 Pedals; official inspection facilities**

Brake, clutch, and accelerator pedals shall have rubber pads or some other method of providing the pedals with a non-skid surface. All pedals shall be in proper operating condition.

**13:20-32.39 Racks or carriers; official inspection facilities**

A motor vehicle may be equipped with racks or carriers provided the maximum vehicle dimensional limits set forth in N.J.S.A. 39:3-84 are not exceeded and provided they do not create a dangerous condition which may cause injury to persons.

**13:20-32.40 Reflective tape; official inspection facilities**

Reflective tape of a color amber to white may be displayed on the front of a motor vehicle. Reflective tape of a color red or amber to white may be displayed on the rear of a motor vehicle.

**13:20-32.41 Seats; official inspection facilities**

All motor vehicle seats shall be securely mounted and free of hazardous conditions. The driver's seat shall lock securely in a position that permits the safe operation of the motor vehicle.

(c) When the parking brake is applied, there shall be a minimum of one-third of the total average travel (as per the motor vehicle manufacturer's specifications) remaining.

**13:20-32.49 Speed recording instrument (speedometer); mileage recording instrument (odometer); official inspection facilities**

Certification of a motor vehicle shall be refused if the speed recording instrument (speedometer) or the mileage recording instrument (odometer) for such motor vehicle is inoperative or does not operate properly.

**13:20-32.50 Credentials; motorcycles; official inspection facilities**

The driver of a motorcycle presented for inspection shall present either a valid motorcycle operator's license or a valid basic driver's license with a motorcycle endorsement, a valid New Jersey motorcycle registration certificate, and a valid New Jersey insurance identification card for the motorcycle. Photocopies or facsimiles of credentials shall not be accepted. Credentials shall be legible and shall contain no alterations.

**13:20-32.51 License plate; motorcycles; official inspection facilities**

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

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

1. Only a rear license plate is required on a motorcycle. The license plate shall be clear and distinct and free from grease, dirt, or other blurring material so that it is plainly visible at all times of the day and night;
2. The license plate shall be securely attached to the rear of the motorcycle;
3. The license plate 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;
4. The letters and/or numbers on the license plate shall agree with the letters and/or numbers on the registration certificate of the motorcycle;
5. The license plate shall not be covered by glass, plastic, or similar material;
6. The license plate shall not be bent or defaced; or
7. Registration plate decal(s), which may be issued by the Motor Vehicle Commission for use on the license plate, shall indicate the month and year in which the registration certificate for the motorcycle expires and, if issued, shall be firmly attached to the license plate.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)7, substituted "Registration" for "The registration", inserted ", which may be" following "decal(s)", substituted "Motor Vehicle Commission" for "Division", and inserted ", if issued," preceding "shall".

**13:20-32.52 Frame, wheels, steering, handlebars, and suspension; motorcycles; official inspection facilities**

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

1. The frame is bent or damaged so as to affect the safe operation of the motorcycle;
2. The wheels and/or rims are bent, damaged, or defective, or the wheels are out of line, so that steering and control are adversely affected;
3. The steering-head bearing is loose, broken, defective, or out of adjustment;
4. The handlebars are loose, bent, broken, or damaged so as to affect proper steering;
5. The handlebar grips are higher than the shoulder height of the operator when he or she is seated on the motorcycle in normal driving position. Inasmuch as no portion of the handlebar grips shall be higher than the shoulder height of the operator, the measurement shall be made to the highest point on the handlebar grips;
6. Any component which is loose, bent, broken, defective, out of adjustment, or missing, so as to affect the safe operation of the motorcycle; or
7. The steering or suspension system is not in a condition equivalent to the motorcycle manufacturer's specifications.

**13:20-32.53 Windscreen, glazing, and obstruction to driver's vision; motorcycles; official inspection facilities**

(a) A windscreen is not required on a motorcycle if the operator has in his or her possession an approved type of goggles or an approved type of face shield. If the motorcycle is equipped with a windscreen, it shall be inspected and certification shall be refused for any of the following reasons:

1. The windscreen is not of an approved type. The windscreen shall be approved as meeting Standard Z26.1 of the American National Standards Institute. The letters "AS," along with the trademark of the manufacturer or distributor, appear on approved types of windscreens;
2. The windscreen support, or some other component, obstructs the driver's vision or is constructed or located as to constitute a hazard to the driver;
3. The windscreen is broken, cracked, discolored, or scratched so as to obstruct the driver's vision;

4. The windscreen is not securely mounted;
5. The windscreen does not provide adequate protection for the operator; or
6. A sign, poster, sticker, or other non-transparent material is on the windscreen so as to obstruct the driver's vision; provided, however, an automatic vehicle identification system transponder approved by the Chief Administrator in accordance with N.J.A.C. 13:20-10, or any sticker approved by the Chief Administrator, is permitted.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" two times in (a)6.

#### **13:20-32.54 Horn; motorcycles; official inspection facilities**

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

1. The motorcycle is not equipped with a horn;
2. A horn is not securely fastened to the motorcycle;
3. A horn button is placed in an unsafe position;
4. A horn button is not operating properly;
5. Horn wiring is in an unsafe condition;
6. A horn is not audible under normal conditions from a distance of not less than 200 feet; or
7. A motorcycle is equipped with a siren, whistle, or bell (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24); provided, however, that any motorcycle 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 motorcycle shall not be refused because a horn emits an excessively loud or harsh sound; however, the motorcyclist shall be advised to have the condition corrected.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (a)7.

#### **13:20-32.55 Windshield wipers; motorcycles; official inspection facilities**

(a) Some three-wheeled motorcycles are equipped with a passenger automobile type of windshield. In such cases, the motorcycle shall be equipped with at least one properly operating windshield wiper to provide clear vision for the driver. A motorcycle 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 motorcycle.

(b) If a motorcycle 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.

#### **13:20-32.56 Clearance lights; motorcycles; official inspection facilities**

(a) If the motorcycle is equipped with a side car or any other extension that is attached to the side thereof, there shall be a clearance light located on the outside limit of the side car or extension which displays white light to the front of the motorcycle.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

1. The clearance light is not of an approved type. Clearance lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles 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;

2. The clearance light is not permanently and securely mounted on a permanent part of the motorcycle;

3. The lens is missing, broken, or cracked;

4. The clearance light does not display white light to the front of the motorcycle; or

5. The filament does not light when the headlight is in operation.

(c) A three-wheeled motorcycle shall be equipped with amber side clearance lights or parking lights on each side visible from the front of the motorcycle.

**13:20-32.57 Taillight, reflector, and license plate light; motorcycles; official inspection facilities**

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

1. The taillight shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "T," along with the manufacturer's name or trademark, are often on the lens of such lights;

2. The taillight shall be permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two taillights are present they shall be symmetrically disposed about the vertical centerline. The mounted height of a taillight, as measured from the center of the lens to the level surface upon which the motorcycle stands, shall be not less than 15 inches nor more than 72 inches;

3. The lens is missing, broken, or of a color other than red. Certification of a motorcycle shall not be refused because a taillight lens is cracked, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected;

4. The filament does not light when the headlight is in operation;

5. The reflector shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "A" (for Class A reflectors) or the letter "B" (for Class B reflectors), along with the manufacturer's name or trademark, are on such reflectors in most cases; or

6. The reflector shall be permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two reflectors are present they shall be symmetrically disposed about the vertical centerline. The mounted height of a reflector shall be not less than 15 inches nor more than 60 inches from the level surface upon which the motorcycle stands. The mounted height of a reflector shall be measured from the center of the reflector.

(b) A three-wheeled motorcycle shall be equipped with a taillight and a red reflector on each side visible from the rear of the motorcycle.

(c) Certification of a motorcycle shall be refused if the license plate light is inoperative. License plate lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the

standards of the Society of Automotive Engineers. The letters "SAE" and the letter "L," along with the manufacturer's name or trademark, are often on the lens of such lights.

**13:20-32.58 Stoplight; motorcycles; official inspection facilities**

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

1. The stoplight is not red or amber in color;

2. The stoplight is not of an approved type. All stoplights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "S," along with the manufacturer's name or trademark, are often on the lens of such lights;

3. The stoplight is not activated by application of the brake;

4. The stoplight is not permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two stoplights are present they shall be symmetrically disposed about the vertical centerline; or

5. The lens is missing. Certification of a motorcycle shall not be refused because of a cracked lens, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected.

(b) A three-wheeled motorcycle shall be equipped with a red or amber stoplight on each side visible from the rear of the motorcycle.

**13:20-32.59 Tires; motorcycles; official inspection facilities**

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

1. The tread on any tire is less than  $\frac{2}{32}$  of an inch in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire;

2. Any part of the ply or cord is exposed;

3. The tire structure has a chunk, bump, knot, or bulge evidencing cord, ply, or tread separation from the casing or other adjacent material; or

4. A tire has been regrooved below the original tread depth, unless such tire was originally manufactured with extra undertread material and is marked "REGROOVABLE."

**13:20-32.60 Exhaust system; motorcycles; official inspection facilities**

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

1. An exhaust system in which the muffler is missing, defective, or not in proper operating condition;
2. An exhaust system if there is evidence of exhaust gas leakage at any point in the system;
3. The muffler is not designed especially for motorcycles or is not equivalent in quality and performance to the original manufacturer's equipment designed for highway use;
4. There is a muffler cut-out, muffler bypass or any similar device, or any change or modification to the exhaust system which causes excessive noise;
5. 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;
6. There is excessive smoke. There shall be no more smoke than that produced by a properly maintained and functioning motorcycle;
7. An exhaust system in which all parts are not properly mounted; or
8. There is excessive vibration of the exhaust system.

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

**13:20-32.61 Headlights; motorcycles; official inspection facilities**

(a) Every motorcycle shall be equipped with a headlight on the front on the vertical centerline, except that if two headlights are present they shall be symmetrically disposed about the vertical centerline. Motorcycle headlights shall emit only a white light and shall be tested for proper operation.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

1. The motorcycle is not equipped with at least one approved type of motorcycle headlight. All headlights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "M," along with the manufacturer's name or trademark, often appear on approved type motorcycle headlights;

2. A motorcycle shall not have more than two headlights. If two headlights are installed, both shall operate properly and be of an approved type. Motorcycles having motors not over five horsepower may have either multiple beam or single beam headlights; all other motorcycles shall have multiple beam headlights. One seven inch sealed beam passenger automobile headlight unit of an approved type, or one 5¾ inch Type 1 and one 5¾ inch Type 2 sealed beam passenger automobile headlight unit of an approved type, may be used if desired;

3. The headlight is not securely mounted, cannot be aimed vertically or its aim is grossly misaligned, the wiring is not in proper condition, or the headlight switch (if the motorcycle is so equipped) does not operate properly;

4. The lens is cracked, missing, broken, or improperly installed;

5. There is dirt, excessive moisture, discoloration, contamination, or reflector deterioration; or

6. The light intensity is not sufficient; provided, however, that the engine speed of the motorcycle may be increased in an attempt to obtain sufficient light intensity.

(c) Certification of a motorcycle shall not be refused because the headlight rim is missing; however, the motorcyclist shall be advised to have the defect corrected.

(d) Certification of a motorcycle shall not be refused because a headlight switch is not present provided the headlight is illuminated when the ignition switch is turned on.

**13:20-32.62 Rear view mirrors; motorcycles; official inspection facilities**

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

1. The motorcycle is not equipped with a rear view mirror;
2. The mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges;
3. The mirror is not capable of adjustment to a fixed horizontal and vertical position;
4. The mirror is not securely or properly mounted on the motorcycle;
5. The mirror does not provide the driver adequate rear view vision; or
6. The primary rear view mirror to the left of the driver has a concave or convex shape.

**13:20-32.63 Miscellaneous lights; motorcycles; official inspection facilities**

(a) The lights described in this section are not required on motorcycles, unless otherwise noted, but are permitted

provided they comply with the requirements set forth in this section.

(b) All miscellaneous lights used on motorcycles shall be of a type and color approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name or trademark, are often on the lens of such lights. In addition, the letters listed below often appear on the following lights:

1. Fog lights = F; or
2. Supplemental driving or passing lights = Y or Z.

(c) Any motorcycle may be equipped with not more than two auxiliary driving lights which are securely mounted on the front of the motorcycle at a height of not less than 12 inches nor more than 42 inches above the level surface upon which the motorcycle stands. Auxiliary driving lights include, but are not limited to, fog lights, passing lights, and supplemental driving lights. Auxiliary driving lights shall be properly installed so that their aim is not grossly misaligned nor readily disturbed by ordinary motorcycle operation. Fog lights shall be wired so that they can only be used in conjunction with the low beam headlights.

(d) The following concern turn signal lights required on three-wheeled motorcycles:

1. Two turn signal lights shall be visible from the front of the motorcycle, and two turn signal lights shall be visible from the rear of the motorcycle.

2. The entire turn signal system shall be of an approved type. All turn signal lights, flashers and operating units shall be of a type approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name or 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.

3. The turn signal lights showing to the front of the motorcycle shall be amber or white in color.

4. The turn signal lights showing to the rear of the motorcycle shall be amber or red in color.

5. All turn signal lights, systems and components shall be in proper operating condition. Certification of a motorcycle shall not be refused because a turn signal light has a cracked lens, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected.

(e) A spot light is a light which can be aimed at will. Any motorcycle may be equipped with not more than one spot light, but the use of any such spot light for driving purposes is prohibited. The letters "SAE" and the letter "O," along with the manufacturer's name or trademark, are often on the lens of approved type spot lights. Approved spot lights shall meet

the requirements of SAE J-591b, incorporated herein by reference. The Standards of the Society of Automotive Engineers (SAE) may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

(f) Flashing lights are prohibited on motorcycles (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24) except as a means for indicating right or left turns or for hazard warning signals.

(g) A motorcycle driven by an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-5. An identification card (permit) issued pursuant to N.J.A.C. 13:24-5 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motorcycle.

(h) All miscellaneous lights shall be permanently and securely mounted on a permanent part of the motorcycle in such a manner as to reduce the likelihood of their being obscured by mud or dirt thrown up by the wheels.

(i) Two or more lighting devices and reflectors may be combined optically, but the following combinations are prohibited:

1. A turn signal with a headlight; or
2. A clearance light with a taillight or an identification light.

(j) Motorcycles may be equipped with other lights in addition to those which are specified in this subchapter. The manufacturer's name or trademark and the letters "SAE" often appear on the lens of such lights, along with the identification letters shown below:

1. E: Side turn signal lights (mounted on motorcycle sides);
2. K: Cornering lights;
3. M: Motorcycle and motor driven cycle headlights (motorcycle type);
4. N: Motorcycle and motor driven cycle headlights (motor driven cycle type);
5. R: Back-up lights;
6. U: Supplemental high-mounted stop and turn signal lights;
7. V: Liquid burning emergency flares;
8. W4: Emergency reflex reflectors; or
9. X: Electric emergency lanterns.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (f).

**13:20-32.64 Wiring, switching, and electrical equipment; motorcycles; official inspection facilities**

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

1. The wiring and/or switches are not in proper condition, are improperly installed, or are so located as to cause damage;
2. The switches do not function properly;
3. A connection is not secure or shows signs of damage;
4. The power for lights is not provided by a generator, alternator, or magneto. Dry cell batteries are not acceptable as a source of electrical energy except for parking lights; or
5. Any defect in wiring or switching which adversely affects the lighting performance of any exterior light.

(b) Certification of a motorcycle shall not be refused because a headlight switch is not present provided the headlight is illuminated when the ignition switch is turned on.

(c) Certification of a motorcycle shall not be refused if replacement switches are present which perform the same function as original switches, provided the safe operation of the motorcycle is not adversely affected.

(d) Certification of a motorcycle shall not be refused if replacement switches are present which perform the same function as the original switches but are not located in the original switch position(s), provided the safe operation of the motorcycle is not adversely affected.

**13:20-32.65 Headlight beam indicator light; motorcycles; official inspection facilities**

(a) Certification of a motorcycle shall not be refused because the headlight beam indicator light is inoperative or does not operate properly; however, the motorcyclist shall be advised to have the defect corrected.

(b) A headlight beam indicator light is not required on motorcycles equipped with single beam headlights.

**13:20-32.66 Miscellaneous items; motorcycles; official inspection facilities**

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

1. Fuel leakage at any point in the motorcycle fuel system;

2. The fuel tank and piping are not securely mounted or are not in proper condition;

3. The fuel tank is not properly capped;

4. The chainguard does not provide sufficient protection; or

5. The speed recording instrument (speedometer) or the mileage recording instrument (odometer) is inoperative or does not operate properly.

(b) The rear fenders of three-wheeled motorcycles shall extend downward to the rear at least three-quarters of the distance from the top of the tire to the horizontal centerline of the tire. Fender flaps may be attached to the rear fenders to provide the required length.

**13:20-32.67 Service brakes (including service brake equalization, service brake pedal reserve, and parking brake on three-wheeled motorcycles); motorcycles; official inspection facilities**

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

1. The motorcycle is not equipped with front and rear brakes adequate to control the movement of and stop the motorcycle within a safe distance; or, for 1973 and earlier model year motorcycles, the motorcycle is not equipped with at least one brake adequate to control the movement of and stop the motorcycle within a safe distance;

2. Levers (foot and hand) do not have at least one-third of their average travel distance as reserve after the brakes are fully applied;

3. Any leak in a hydraulic brake system; or

4. Any defect in mechanical components.

(b) A three-wheeled motorcycle shall be equipped with a parking brake in proper operating condition.

(c) The parking brake shall be able to hold the motorcycle stationary on any up or down grade upon which it can be operated, whether the motorcycle is empty or loaded.

(d) The parking brake shall be equipped with an automatic locking device which will hold the brake in the applied position.

(e) When the parking brake is applied, there shall be a minimum of one-third of the total average travel (as per the motorcycle manufacturer's specifications) remaining.

(f) The service brakes on a three-wheeled motorcycle shall be properly equalized.

**13:20-32.68 Helmets; motorcycles; official inspection facilities**

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

1. There is not an approved type of safety helmet in the possession of the motorcycle operator. An approved type of safety helmet is marked to meet Federal Motor Vehicle Safety Standard No. 218, along with the manufacturer's or distributor's trademark.
2. The safety helmet is not equipped with either a neck or chin strap; or
3. The safety helmet is not reflectorized over an area of at least four square inches on each side of the helmet. Red, white, or amber reflectorized safety tape shall be used and shall be securely affixed to the helmet in a permanent waterproof manner.

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

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

In (a)3, deleted the last sentence.

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In (a)1, inserted "No." preceding "218".

**13:20-32.69 Goggles or face shields; motorcycles; official inspection facilities**

(a) A motorcycle operator is not required to have goggles or a face shield in his or her possession if the motorcycle is equipped with an approved type of windscreen in accordance with N.J.A.C. 13:20-32.53. If the motorcycle is not equipped with an approved type of windscreen, it shall not be certified unless the operator has in his or her possession either an approved type of goggles or an approved type of face shield.

(b) Approved type goggles and approved type face shields are marked to meet Standard Z2.1 or Standard Z87.1 of the American National Standards Institute or Regulation V-8. The letters and numbers Z2.1 or Z87.1 or V-8 appear on such goggles and face shields, along with the trademark of the manufacturer or distributor.

**13:20-32.70 Seats; motorcycles; official inspection facilities**

(a) Motorcycles designed for occupancy by two people shall have either one permanent seat designed for two persons, or a separate passenger seat located to the rear or side of the seat for the operator.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

1. The seats are not equivalent in quality and safety to the original manufacturer's equipment;
2. Each seat is not securely mounted; or

3. The seats are not of sufficient strength or are mounted in such a manner that the operator and passenger cannot ride without crowding or interfering with the operation of the motorcycle.

**13:20-32.71 Foot rests; motorcycles; official inspection facilities**

(a) Motorcycles designed to carry more than one person shall be equipped with adequate foot rests for each passenger.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

1. The foot rests are not equivalent in quality and performance to the original manufacturer's equipment;
2. The foot rests are not securely mounted;
3. The foot rests are not capable of supporting the full weight of the user; or
4. The foot rests for passengers are mounted in such a manner as to interfere with the operation of the motorcycle.

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SUBCHAPTER 33. INSPECTION STANDARDS AND TEST PROCEDURES TO BE USED BY LICENSED PRIVATE INSPECTION FACILITIES

**13:20-33.1 Definitions**

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

"Certificate of approval" means an inspection sticker issued by an official inspection facility, a licensed private inspection facility, or a State specialty inspection facility certifying that a motor vehicle complies with the requirements of Title 39 and Title 26 of the Revised Statutes, N.J.A.C. 13:20-43, N.J.A.C. 13:20-32 or this subchapter, whichever is applicable, and N.J.A.C. 7:27-15 and 7:27B-5 regarding the inspection of motor vehicles.

"Certificate of waiver" means an inspection sticker issued by an official inspection facility evidencing that a motor vehicle has successfully passed a safety inspection but that the requirements of compliance with N.J.A.C. 13:20-43 and the rules adopted by the Department of Environmental Protection pertaining to emission or OBD inspection standards have been waived by the Motor Vehicle Commission for the particular inspection cycle for which the waiver is granted.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"EPA" means the United States Environmental Protection Agency.

“Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the maximum loaded weight of a single or combination (articulated) vehicle.

“Motor Vehicle Commission” or “Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P. L. 2003, c. 13 (N.J.S.A. 39:2A-4).

“Official inspection facility” means a test-only inspection facility that the State Treasurer has contracted for pursuant to section 4 of P.L. 1995, c.112.

“On-board diagnostics” or “OBD” means an automotive diagnostic system complying with California OBD regulations or EPA OBD II regulations effective for model year 1996 and newer motor vehicles.

“Private inspection facility” means any person, partnership, or corporation licensed by the Motor Vehicle Commission pursuant to N.J.A.C. 13:20-44 to perform the motor vehicle inspections required by N.J.S.A. 39:8-1.

“State specialty inspection facility” means a test-only inspection facility that is operated by the Motor Vehicle Commission to inspect certain motor vehicles as specified in N.J.A.C. 13:20-7.3(d).

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In “Certificate of waiver”, inserted “or OBD” preceding “inspection standards”; added “EPA” and “ ‘On-board diagnostics’ or ‘OBD’ ”.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted “Motor Vehicle Commission” for “Division” throughout; added definitions “Chief Administrator” and “Motor Vehicle Commission”; and deleted definitions “Director” and “Division”.

### **13:20-33.2 General provisions; Class I, II, and III licensees**

(a) This subchapter contains the inspection standards and test procedures to be used by licensed private inspection facilities, including Class I and Class II licensed private inspection facilities when inspecting and certifying automobiles, trucks, buses (including modified buses regardless of passenger capacity which have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission), and jitneys as defined in N.J.A.C. 13:20-44.2 for compliance with inspection standards, and Class III licensed private inspection facilities when inspecting and certifying motorcycles for compliance with inspection standards.

(b) A private inspection facility license authorizes the placement of an inspection certificate of approval on a motor vehicle upon:

1. Initial inspection as certification of compliance with inspection requirements; and

2. Reinspection as certification that defects for which the motor vehicle was initially rejected have been repaired, adjusted, or corrected to bring the motor vehicle into compliance with inspection requirements.

(c) An emission or OBD inspection or reinspection shall be performed by a motor vehicle emission inspector licensed in accordance with N.J.S.A. 39:8-1 et seq. and N.J.A.C. 13:20-43.17. The motor vehicle emission inspector shall sign his or her name on the motor vehicle inspection report upon completion of the inspection or reinspection of a motor vehicle. A safety inspection or reinspection shall be performed by a mechanic possessing the qualifications set forth at N.J.A.C. 13:20-44.19. The mechanic shall sign his or her name on the motor vehicle inspection report or motorcycle inspection invoice upon completion of the inspection or reinspection of a motor vehicle or motorcycle.

(d) The fee which may be charged by a Class I licensed private inspection facility for an initial inspection shall not exceed the schedule of inspection charges displayed at the facility’s place of business and on file with the Motor Vehicle Commission’s Private Inspection Facility Licensing Unit. The schedule of inspection charges shall specifically set forth the inspection charge for the initial inspection of motor vehicles having a GVWR of 8,500 pounds or less and the inspection charge for the initial inspection of motor vehicles having a GVWR greater than 8,500 pounds.

(e) The fee which may be charged by a Class III licensed private inspection facility for an initial inspection shall not exceed one-quarter of the private inspection facility’s hourly labor charge. The schedule of inspection charges shall be displayed at the facility’s place of business and filed with the Motor Vehicle Commission’s Private Inspection Facility Licensing Unit.

(f) A Class I or Class II licensed private inspection facility shall not perform emission-related or OBD-related motor vehicle repairs unless it is registered with the Motor Vehicle Commission as a motor vehicle emission repair facility in accordance with N.J.A.C. 13:20-45.

(g) If a licensed private inspection facility is authorized to make repairs, the condition of the rejected item(s) shall be brought into compliance with 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-5.

(h) A private inspection facility license also requires reinspection and certification of a motor vehicle when the motor vehicle owner or lessee, or someone not under the direction of the licensee, has made the repairs, adjustments, or corrections. In such cases, the private inspection facility shall reinspect the rejected item(s) to determine if they conform to the 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-5. If such defect(s)

(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.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In (c), inserted "or OBD" following "An emission"; in (f), inserted "or OBD-related" following "emission-related"; in (q), inserted ", or OBD-related" following "emission-related".

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" throughout; in (d) and (e), substituted "Motor Vehicle Commission's" for "Division of Motor Vehicles"; in (h), deleted one of the periods from the end of the second sentence; in (i), substituted "Motor Vehicle Commission" for "Division of Motor Vehicles"; and in (p), inserted "and Workforce Development".

### 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. Registration plate decal(s), which may be issued by the Motor Vehicle Commission 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, if issued, be firmly attached to the front and rear license plates.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)8, substituted "Registration" for "The registration", inserted ", which may be" following "decal(s)", substituted "Motor Vehicle Commission" for "Division" and inserted ", if issued," following "shall".

**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 Motor Vehicle Commission 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.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (d).

#### Case Notes

Fact that defendant's vehicle had a tinted windshield was insufficient to establish an articulable and reasonable suspicion that a violation of the law occurred, as required to justify a traffic stop. State in the Interest of R.M. and J.M., 777 A.2d 1041 (2001).

Transparent or tinted windshield material in and of itself does not justify motor vehicle stop; such material is allowed by regulation in certain instances. State in the Interest of R.M. and J.M., 777 A.2d 1041 (2001).

#### 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 Chief Administrator in accordance with N.J.A.C. 13:20-10, or any other sticker approved by the Chief Administrator, 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.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (b).

#### 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 Chief Administrator 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.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (a)8.

### 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.

(c) Front turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Front turn signal and hazard warning signal lights shall emit a flashing white or amber light visible for a distance of 500 feet.

(d) Rear turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Rear turn signal and hazard warning signal lights shall emit a flashing red or amber light visible for a distance of 500 feet.

(e) All turn signal lights shall be permanently and securely mounted in such a manner so as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels.

(f) A turn signal light shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material if such obstruction reduces the visible area of the turn signal light to less than three and one-half square inches on a passenger automobile, truck, bus, or jitney which is less than 80 inches in overall width, or reduces the visible area of the turn signal light to less than 12 square inches on a truck, bus, or jitney which is 80 inches or more in overall width.

(g) Turn signal lights shall flash from 50 to 130 times per minute. The "on" period of the flashes shall be long enough to permit the bulb filaments to reach full brightness.

(h) All turn signal light systems and components shall be in proper operating condition. Certification of a motor vehicle shall not be refused because a turn signal light has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

#### **13:20-33.13 Reflectors; Class I and II licensees**

(a) Reflectors are devices designed and used on vehicles to give an indication to an approaching driver by reflected light.

(b) Reflectors 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 "A" (for Class A reflectors) or the letter "B" (for Class B reflectors), along with the manufacturer's name or trademark, are on such reflectors in most cases.

(c) Passenger vehicles manufactured before July 2, 1954, shall have one Class A or Class B red reflector mounted on the rear of the vehicle.

(d) Passenger automobiles manufactured after July 1, 1954, shall have two Class A red or two Class B red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.

(e) All passenger automobiles with commercial registration and all trucks and buses shall have two Class A red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.

(f) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall have one Class A amber reflector mounted on each side of the vehicle as far to the front as practicable and one Class A red reflector mounted on each side of the vehicle as far to the rear as practicable.

(g) The mounted height of a reflector shall be not less than 15 inches nor more than 60 inches from the level surface upon which the vehicle stands. Reflectors shall be permanently and securely mounted on a permanent part of the vehicle.

(h) Any reflector, otherwise properly mounted, may be securely installed on flexible strapping or belting provided that under conditions of normal operation it reflects light in the required direction.

(i) The mounted height of a reflector shall be measured from the center of the reflector to the level surface upon which the vehicle stands.

#### **13:20-33.14 Identification lights; Class I and II licensees**

(a) Identification lights are used in groups of three in a horizontal row which show to the front and rear of a motor vehicle, respectively, and have light centers spaced not less than six inches nor more than 12 inches apart.

(b) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with three amber identification lights on the front of the vehicle and three red identification lights on the rear of the vehicle. If the cab is not more than 42 inches wide at the front roof line, a single identification light at the centerline of the cab shall be deemed to comply with the requirements for front identification lights.

(c) Identification 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 "P" or "P2," along with the manufacturer's name and trademark, are on the lens of such lights in most cases.

(d) Every identification light shall be permanently and securely mounted on a permanent part of the vehicle as close as practical to the vertical centerline and the top of the vehicle. No part of front identification lights or their mountings shall extend below the top of the vehicle windshield.

**13:20-33.15 Side-marker lights; Class I and II licensees**

(a) Side-marker lights are lights on the left and right sides near the front and rear of a motor vehicle that show to the side and are intended to indicate vehicle length.

(b) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with one amber side-marker light mounted on each side at or near the front of the vehicle and one red side-marker light mounted on each side at or near the rear of the vehicle. Side-marker 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.

(c) Every side-marker light shall be permanently and securely mounted on a permanent part of the vehicle. Side-marker lights may be mounted at optional height on the side of the vehicle.

(d) 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.

**13:20-33.16 Taillights and license plate light; Class I and II licensees**

(a) Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two red taillights and at least two red reflectors, one at each side of the vertical centerline at the same height and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one red taillight and one red reflector.

(b) Taillights 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 "T," along with the manufacturer's name or trademark, are often on the lens of such lights.

(c) Taillights shall exhibit a red light visible from a distance of 500 feet to the rear of the vehicle. The lights shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material.

(d) Taillights shall be permanently and securely mounted on a permanent part of the vehicle. The mounted height of taillights, as measured from the center of the lens to the level surface upon which the vehicle stands, shall be not less than 15 inches nor more than 72 inches. On any vehicle designed for carrying flammable liquids as cargo, the taillights may be mounted higher than 72 inches. When two taillights are required, they shall be mounted at the same level and spaced as far apart laterally as practical.

(e) Certification of a motor vehicle shall not be refused because a taillight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(f) If a motor vehicle is equipped with two or more taillights on each side, it shall not be refused certification because some of the taillights are not operative, provided at least one taillight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle shall be refused if the license plate light is inoperative. License plate 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 "L," along with the manufacturer's name or trademark, are often on the lens of such lights.

**13:20-33.17 Stoplights; Class I and II licensees**

(a) Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two stoplights, one on each side of the vertical centerline at the same height and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one stoplight. All passenger automobiles manufactured on or after September 1, 1985, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less, manufactured on or after September 1, 1993, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less and whose vertical centerline, when the vehicle is viewed from the rear, is not located on a fixed body panel but separates one or two moveable body sections, such as doors, and which lacks sufficient space to install a single high-mounted stoplight on the centerline above such body sections, and which is manufactured on or after September 1, 1993, shall, in addition, be equipped with two high-mounted rear stoplights.

(b) All stoplights 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 "S," along with the manufacturer's name or trademark, are often on the lens of such lights.

(c) Stoplights shall exhibit a red or amber color and shall be visible from a distance of 500 feet to the rear of the vehicle when activated by application of the brake. The stoplights, including high-mounted rear stoplights, shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material.

(d) Stoplights shall be permanently and securely mounted on a permanent part of the vehicle. Certification of a motor vehicle shall not be refused because a stoplight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(e) If a motor vehicle is equipped with two or more stoplights on each side, it shall not be refused certification because some of the stoplights are not operative, provided at least one stoplight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(f) If a motor vehicle is equipped with a high-mounted rear stoplight(s) with multiple bulbs, it shall not be refused certification because some of the stoplight bulbs are not operative, provided at least one such high-mounted rear stoplight bulb is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle which is equipped with a high-mounted rear stoplight shall be refused if the stoplight is so wired that it illuminates when the turn signal lights are activated.

(h) If the high-mounted rear stoplight is mounted inside the motor vehicle, means shall be provided to minimize reflections from the light upon the rear window glazing that may be visible to the driver when viewed in the interior rear view mirror. Certification of a motor vehicle which is equipped with such a high-mounted rear stoplight shall be refused if adequate means are not provided to minimize such reflections.

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

### 13:20-33.18 Wheels; Class I and II licensees

(a) Wheels shall turn freely and the lateral or radial runout of the rim bead shall not exceed the motor vehicle manufacturer's specifications.

(b) Wheels shall be securely mounted and there shall be no visible cracks, elongated bolt holes, broken bolts, missing bolts or nuts, indication of repair by welding, or other defects which adversely affect the safe operation of the motor vehicle.

### 13:20-33.19 Tires; Class I and II licensees

(a) The tread on each tire shall not be less than  $\frac{3}{32}$  of an inch deep.

(b) Many tires have tread depth indicators that become exposed when the tread depth is less than  $\frac{3}{32}$  of an inch. Tread depth indicators shall be inspected and a tire rejected if it is worn so that the indicators are visible in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire. For tires without tread depth indicators, the tread depth shall be measured with a tire tread depth gauge.

(c) Tires shall be free from chunking, bumps, knots, or bulges evidencing cord, ply, or tread separation from the casing or other adjacent materials. Tire cords or belting materials shall not be exposed.

(d) There shall not be any mismatch in nominal tire size, construction, or profile between tires on the same axle, or any deviation from the motor vehicle manufacturer's tire recommendations. Tire tread shall not protrude beyond the fenders.

(e) Tires on motor vehicles registered for use on a public highway shall not be marked "FOR FARM USE ONLY," "OFF HIGHWAY USE ONLY" or "FOR RACING USE ONLY." Tires which were originally manufactured with extra undertread material and are marked "REGROOVABLE" may be regrooved below the original tread depth.

(f) Studded tires may not be used on a public highway in New Jersey earlier than November 15 or later than April 1 of any winter season. Certification of a motor vehicle shall not be refused because of the improper use of studded tires; however, the motorist shall be advised to have the condition corrected.

### 13:20-33.20 Exhaust system; Class I and II licensees

(a) The following shall not be certified:

1. An exhaust system in which the muffler is missing, defective, or not in proper operating condition;
2. An exhaust system if there is evidence of tampering with emission control apparatus in violation of N.J.A.C. 7:27-15.7;
3. An exhaust system if there is evidence of exhaust gas leakage at any point in the system;
4. An exhaust system if there is a muffler cut-out, muffler bypass or any similar device, or any change or modification to the exhaust system which causes excessive noise;
5. 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;

6. An exhaust system in which all parts are not properly mounted. The entire exhaust system shall 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 shall be protected in a permanent and effective manner; or

7. An exhaust system installed in a manner that any part thereof passes through the passenger compartment of the motor vehicle. 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 provided it is specifically manufactured for the motor vehicle by a company which guarantees that the exhaust system has a safe exhaust gas exit location.

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

**13:20-33.21 Prescribed emission or on-board diagnostics test(s); Class I and II licensees**

With respect to each gasoline-fueled or bi-fueled motor vehicle presented for inspection, a licensed private inspection facility shall conduct the emission or OBD test(s) specified for such motor vehicle at N.J.A.C. 13:20-43.8 in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "or OBD" following "emission".

**13:20-33.22 Emission test equipment and on-board diagnostics inspection equipment maintenance; Class I and II licensees**

The emission test equipment and OBD inspection equipment shall be 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-5.2.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "and OBD inspection equipment" following "emission test equipment" and deleted "and calibrated" preceding "maintained".

**13:20-33.23 Headlights; Class I and II licensees**

(a) Every motor vehicle, other than a motorcycle, shall be equipped with at least two headlights mounted at the same level with an equal number on each side of the front of the motor vehicle. Headlights shall emit only a white light and shall be tested for proper operation. Headlights shall not be tested for aim unless they have been previously rejected at inspection for one of the reasons set forth in this section. If headlight aim testing is required, the headlight aim shall meet the specifications listed below:

1. High beam aim specifications:

i. Vertical aim: From four inches above to five inches below;

ii. Horizontal aim: From six inches right to six inches left.

2. Low beam aim specifications:

i. Vertical aim: From three inches below to 14 inches below;

ii. Horizontal aim: From eight inches right to 23 inches right.

(b) The headlight aim specifications set forth in (a) above refer to the location of the "hot spot" (the center of the high intensity portion of the beam pattern) based on a distance of 25 feet from the test screen. The vertical aim specifications indicate the distance the "hot spot" shall be above or below the horizontal centerline straight ahead of the headlight center. The horizontal aim specifications indicate the distance the "hot spot" shall be to the right or to the left of the vertical centerline straight ahead of the headlight center.

(c) SAE visual inspection limits for the vertical aim of the "hot spot" of Type 1 headlight units are from four inches above to four inches below, and for the horizontal aim of the "hot spot" of Type 1 headlight units are from four inches right to four inches left.

(d) SAE visual inspection limits for the top edge of the high intensity zone of Type 2 headlight units are from four inches above to four inches below, and for the left edge of the high intensity zone of Type 2 headlight units are from four inches left to four inches right.

(e) If headlight aim is inspected with a mechanical aimer, the inspection specifications for both Type 1 and Type 2 headlight units shall be four inches above to four inches below and four inches left to four inches right.

(f) Headlights shall be properly installed so that their beams are readily adjustable, both vertically and horizontally, and their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation.

(g) Headlights 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.

(h) A motor vehicle having a headlight with a cracked, broken, or missing lens, or a headlight with insufficient light intensity, shall not be certified; provided, however, that a motor vehicle shall not be refused certification because the headlight has a bullseye-type hole which has been repaired in a proper manner.

(i) There shall be no auxiliary equipment, such as colored spray, on the lens, visor, reflector, or other attachment which is not included in 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.

(j) On motor vehicles equipped with four headlights, the Type 2 headlight shall be mounted above or to the outside of the Type 1 headlight. A motor vehicle which is equipped with recessed headlights shall, when such headlights are illuminated, have nothing covering them or in front of them except clear glass. A 1969 or later model year motor vehicle equipped with headlights which, when in use, have any styling or other features, such as a glass cover or grille in front of the lens, shall not be certified.

(k) Retractable headlights shall be in the fully open position when the headlights are tested.

(l) Motor vehicles which are used for plowing snow may have an extra set of headlights mounted above the plow. Switching shall be provided so that either set of headlights may be used, but not both.

(m) A motor vehicle shall not be refused certification because of a missing headlight rim or rims; however, the motorist shall be advised to have the defect corrected.

#### **13:20-33.24 Rear view mirrors; Class I and II licensees**

(a) A motor vehicle shall not be certified if it is not equipped with at least one rear view mirror. A passenger automobile manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side.

(b) A commercial motor vehicle manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side, except that every such vehicle so constructed or loaded as to obstruct or obscure a rear view from an interior mirror shall, in lieu of an interior mirror, be equipped with an exterior mirror on the side of the vehicle opposite the driver's side.

(c) Mirrors shall be securely mounted and located and adjusted so as to provide the driver adequate rear view vision. Mirrors shall not obstruct the driver's forward vision. Concave or convex mirrors shall not be used in place of the interior mirror or the driver's side exterior mirror.

(d) A motor vehicle shall not be certified if a mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges.

(e) Mirrors shall be capable of adjustment to a fixed horizontal and vertical position.

#### **13:20-33.25 Miscellaneous lights; Class I and II licensees**

(a) All miscellaneous lights used on motor vehicles shall be of a type and color approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name and trademark, are often on the lens of such lights. In addition, the letters listed below often appear on the following lights:

1. Fog lights = F;
2. Spot lights = O;
3. Emergency warning lights = W or W1 or W3; or
4. Supplemental driving or passing lights = Y or Z.

(b) Any motor vehicle may be equipped with not more than two auxiliary driving lights mounted on the front of the vehicle at a height of not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands. Auxiliary driving lights include, but are not limited to, fog lights, passing lights, and supplemental driving lights. Auxiliary driving lights shall be aimed in conformance with the standards of the Society of Automotive Engineers applicable to the particular type of auxiliary driving light. Auxiliary driving lights shall be properly installed so that their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation.

1. Fog lights are auxiliary driving lights which may be used with the low beam headlights to provide general illumination ahead of a motor vehicle. A fog light shall be white, yellow, or amber in color. Approved fog lights shall meet the requirements of SAE J-583d, incorporated herein by reference.

2. Passing lights are also known as auxiliary low beam driving lights and are designed to supplement the lower beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-582a, incorporated herein by reference. Passing lights shall be wired so that they are controlled by a switch separate from the headlight switch.

3. Supplemental driving lights are auxiliary driving lights which may be used to supplement the upper beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-581, incorporated herein by reference. Supplemental driving lights shall be wired so that they are controlled by a switch separate from the headlight switch.

(c) A spot light is a light which can be aimed at will. Any motor vehicle may be equipped with not more than one spot light, but the use of any such spot light for driving purposes is prohibited. The letters "SAE" and the letter "O," along with the manufacturer's name or trademark, are often on the lens of approved type spot lights. Approved spot lights shall meet the requirements of SAE J-591b, incorporated herein by reference. The Standards of the Society of Automotive Engineers (SAE) may be obtained from the Society of

Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

(d) Any motor vehicle may be equipped with not more than two side cowl or fender lights which shall emit a white or yellow light without glare.

(e) Any motor vehicle may be equipped with not more than one running board courtesy light on each side thereof which shall emit a white or yellow light without glare.

(f) Any motor vehicle may be equipped with one or more back-up lights, either separately or in combination with other lights. Back-up lights shall be white in color. No back-up light shall be illuminated when the motor vehicle is in forward motion.

(g) On motor vehicles used for plowing snow, there may be auxiliary driving lights connected to either the parking light system or the low beam headlight system. If sealed beam headlight units are used for the auxiliary driving lights, they shall be wired so that the taillights will be illuminated when the auxiliary driving lights are turned on. Auxiliary turn signal lights are also permitted on such motor vehicles.

(h) Flashing lights are prohibited on motor vehicles (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24) except as a means for indicating right or left turns or for hazard warning signals.

(i) A motor vehicle driven by an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-5. An identification card (permit) issued pursuant to N.J.A.C. 13:24-5 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(j) A motor vehicle driven by an active member in good standing of the New Jersey Wing of the Civil Air Patrol may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-7. A permit issued pursuant to N.J.A.C. 13:24-7 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(k) All miscellaneous lights shall be permanently and securely mounted on a permanent part of the vehicle in such a manner as to reduce the likelihood of their being obscured by mud or dirt thrown up by the wheels.

(l) Two or more lighting devices and reflectors may be combined optically, but the following combinations are prohibited:

1. A turn signal with a headlight; or

2. A clearance light with a taillight or an identification light.

(m) Motor vehicles may be equipped with other lights in addition to those which are specified in this subchapter. The manufacturer's name or trademark and the letters "SAE" often appear on the lens of such lights, along with the identification letters shown below:

1. E: Side turn signal lights (mounted on vehicle sides);
2. K: Cornering lights;
3. R: Back-up lights;
4. U: Supplemental high-mounted stop and turn signal lights;
5. V: Liquid burning emergency flares;
6. W4: Emergency reflex reflectors; or
7. X: Emergency lanterns.

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), added the second sentence; added a new (j) and recodified former (j) through (l) as (k) through (m).

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (h).

### **13:20-33.26 Wiring and switching; Class I and II licensees**

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

1. The wiring is not in proper condition, is improperly installed, or is so located as to cause damage;
2. Any connection that is not secure or shows signs of corrosion;
3. The switches are not in proper condition or do not function properly;
4. Any light circuit that does not light the proper filament when the appropriate switch position is applied; or
5. Any defect in wiring and/or switching which adversely affects the lighting performance of any exterior light.

(b) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches, provided the safe operation of the motor vehicle is not adversely affected.

(c) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches but are not located in the original switch position(s), provided the safe operation of the motor vehicle is not adversely affected.

**13:20-33.27 Headlight beam indicator light; Class I and II licensees**

Certification of a motor vehicle shall not be refused because the headlight beam indicator light is inoperative or does not operate properly; however, the motorist shall be advised to have the defect corrected.

**13:20-33.28 Turn signal and hazard warning signal indicator lights; Class I and II licensees**

(a) Certification of a motor vehicle shall not be refused because of an inoperative turn signal indicator light and/or an inoperative hazard warning signal indicator light; however, the motorist shall be advised to have the defect corrected.

(b) If any turn signal indicator light is not readily visible to the driver, there shall be an illuminated indicator to give the driver a clear and unmistakable indication that the turn signal system is turned "on."

(c) In motor vehicles equipped with a single turn signal indicator, a separate hazard warning signal indicator shall flash and the turn signal indicator may flash while the hazard warning signal system is turned "on."

(d) In motor vehicles equipped with right and left turn signal indicators, both indicators or separate indicators shall flash simultaneously while the hazard warning signal system is turned "on."

(e) If a separate indicator light is used for the hazard warning signal system, it shall emit a red color and have a minimum area equivalent to a one-half inch diameter circle.

**13:20-33.29 Antenna; Class I and II licensees**

Any antenna mounted on a motor vehicle shall be securely attached so as not to swing or project in a hazardous manner. Certification of a motor vehicle shall not be refused because of an insecure antenna; however, the motorist shall be advised to have the condition corrected.

**13:20-33.30 Body; Class I and II licensees**

The motor vehicle body panels, floor pan and other sections shall be in good condition, and shall not be rusted out or missing. The motor vehicle body shall be free of rips and sharp edges which could cause injury.

**13:20-33.31 Bumpers; Class I and II licensees**

Bumpers, if present, shall be securely mounted on a motor vehicle and in good condition with no sharp or protruding parts or edges which could cause injury. Front and rear bumper heights shall be in accordance with the motor vehicle manufacturer's specifications.

**13:20-33.32 Doors; Class I and II licensees**

(a) The motor vehicle doors and all door operating devices, handles, buttons, hinges, and latches shall be in proper operating condition. A method of opening the door from the outside is not required on motor vehicles with fabric tops which are equipped with glazing material which can be readily removed without the use of tools.

(b) Motor vehicles designed and manufactured with doors shall be equipped with doors.

(c) Motor vehicles designed and manufactured without doors shall be equipped with seat belts or a strap, chain, or restraining device of some type across the openings.

**13:20-33.33 Fenders and fender flaps; Class I and II licensees**

(a) The motor vehicle fenders shall be securely mounted and shall have no rips or sharp edges which could cause injuries to persons.

(b) Fenders shall cover the width of the tire tread. The rear fenders shall be designed and installed so as to prevent the wheels of the motor vehicle from throwing dirt, water, or other material onto other motor vehicles. Fender flaps may be attached to the rear fenders to provide the necessary wheel coverage.

**13:20-33.34 Fuel system; Class I and II licensees**

Fuel leakage at any point in the motor vehicle fuel system shall be cause for rejection. The fuel tank and piping shall be securely mounted and in proper condition, and the fuel tank shall be properly capped.

**13:20-33.35 Hood; Class I and II licensees**

Motor vehicles shall be equipped with an engine hood. The hood shall be properly secured and latched, and all hinges, latches, and other components shall be in proper operating condition.

**13:20-33.36 Lettering; Class I and II licensees**

(a) Vehicles used for commercial purposes on a street or highway, except for passenger automobiles and vehicles owned or leased by a pharmacy and utilized for the transportation or delivery of drugs, shall have conspicuously displayed on the vehicle, or on a name plate attached to the vehicle, the name of the owner, lessee, or lessor of the vehicle, and the name of the municipality in which the owner, lessee, or lessor has his or her principal place of business. Franchised public utilities and operators of fleets of 50 or more commercial vehicles shall be exempted from displaying the name of the municipality, provided that their vehicles display a corporate identification number. The sign or the name plate shall be in plain view and the lettering shall be as close as possible to three inches high. Certification of a commercial vehicle shall not be refused because the vehicle

fails to display the owner's name and business address; however, the motorist shall be advised to have the condition corrected.

(b) A noncommercial truck, registered as a passenger vehicle pursuant to N.J.S.A. 39:3-8.1, is issued passenger vehicle license plates by the Motor Vehicle Commission. Such a noncommercial truck shall not have any advertising, signs, lettering, names, or addresses on its exterior, excepting trademarks and labels of the manufacturer and dealer. Certification of a noncommercial truck shall not be refused because the truck displays any type of lettering; however, the motorist shall be advised to have the condition corrected.

(c) Certification of a vehicle with a GVWR of 26,001 pounds or more shall not be refused because the GVWR is not displayed on the vehicle; however, the motorist shall be advised to have the condition corrected.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (b).

### 13:20-33.37 Ornaments; Class I and II licensees

All motor vehicle ornaments shall be free of sharp parts or edges which could cause injury to persons.

### 13:20-33.38 Pedals; Class I and II licensees

Brake, clutch, and accelerator pedals shall have rubber pads or some other method of providing the pedals with a non-skid surface. All pedals shall be in proper operating condition.

### 13:20-33.39 Racks or carriers; Class I and II licensees

A motor vehicle may be equipped with racks or carriers provided the maximum vehicle dimensional limits set forth in N.J.S.A. 39:3-84 are not exceeded and provided they do not create a dangerous condition which may cause injury to persons.

### 13:20-33.40 Reflective tape; Class I and II licensees

Reflective tape of a color amber to white may be displayed on the front of a motor vehicle. Reflective tape of a color red or amber to white may be displayed on the rear of a motor vehicle.

### 13:20-33.41 Seats; Class I and II licensees

All motor vehicle seats shall be securely mounted and free of hazardous conditions. The driver's seat shall lock securely in a position that permits the safe operation of the motor vehicle.

### 13:20-33.42 Seat belts; air bags; Class I and II licensees

(a) All motor vehicles which are required by law to be equipped with seat belts shall be in compliance with Federal

Motor Vehicle Safety Standards Nos. 208 and 209, incorporated herein by reference. All motor vehicles which are required by law to be equipped with air bags shall be in compliance with Federal Motor Vehicle Safety Standard No. 208, incorporated herein by reference. Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571) may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238, and are available for review, during regular business hours, at:

Office of the Chief Administrator  
New Jersey Motor Vehicle Commission  
225 East State Street  
9th Floor  
Trenton, NJ 08666-0160

Regular business hours at this office are 8:30 A.M. to 5:00 P.M., Eastern Time, Monday through Friday. The telephone is (609) 777-1407.

(b) Seat belts and their anchorage units, or other restraining devices, shall be of a type approved as meeting the standards of the United States Department of Transportation or the specifications of the Society of Automotive Engineers. The buckles and anchorage units shall be in good condition and the webbing shall not be dangerously worn or cut.

(c) Certification of a motor vehicle shall be refused if an air bag(s) has been deployed and has not been replaced with an air bag(s) that is in compliance with Federal Motor Vehicle Safety Standard No. 208, incorporated herein by reference.

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

In (a), added the second sentence; added (c).  
Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (a), inserted "Nos." following "Standards" and "No." following "Standard"; substituted "CFR" for "C.F.R."; "Chief Administrator" for "Director" and "Motor Vehicle Commission" for "Division of Motor Vehicles"; and inserted "No." following "Standard" in (c).

### 13:20-33.43 Gear shift indicator; Class I and II licensees

A motor vehicle equipped with an automatic transmission shall be equipped with a gear shift indicator in proper operating condition. Certification of a motor vehicle shall not be refused because of a minor misalignment of a gear shift indicator (that is, a misalignment of not more than one-half the distance between shift positions); however, the motorist shall be advised to have the defect corrected.

### 13:20-33.44 Transmission; Class I and II licensees

The transmission of a motor vehicle shall operate properly and shall be capable of operating in reverse. A reverse detent mechanism shall be present and shall be in proper operating condition.

(c) When the parking brake is applied, there shall be a minimum of one-third of the total average travel (as per the motor vehicle manufacturer's specifications) remaining.

**13:20-33.49 Speed recording instrument (speedometer); mileage recording instrument (odometer); Class I and II licensees**

Certification of a motor vehicle shall be refused if the speed recording instrument (speedometer) or the mileage recording instrument (odometer) for such motor vehicle is inoperative or does not operate properly.

**13:20-33.50 Credentials; Class III licensees**

The driver of a motorcycle presented for inspection shall present either a valid motorcycle operator's license or a valid basic driver's license with a motorcycle endorsement, a valid New Jersey motorcycle registration certificate, and a valid New Jersey insurance identification card for the motorcycle. Photocopies or facsimiles of credentials shall not be accepted. Credentials shall be legible and shall contain no alterations.

**13:20-33.51 License plate; Class III licensees**

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

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

1. Only a rear license plate is required on a motorcycle. The license plate shall be clear and distinct and free from grease, dirt, or other blurring material so that it is plainly visible at all times of the day and night;
2. The license plate shall be securely attached to the rear of the motorcycle;
3. The license plate 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;
4. The letters and/or numbers on the license plate shall agree with the letters and/or numbers on the registration certificate of the motorcycle;
5. The license plate shall not be covered by glass, plastic, or similar material;
6. The license plate shall not be bent or defaced; or
7. The registration plate decal(s), which may be issued by the Motor Vehicle Commission for use on the license plate shall indicate the month and year in which the registration certificate for the motorcycle expires and shall be firmly attached to the license plate.

Amended by R.2006 d.249, effective July 3, 2006.  
See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)7, inserted “, which may be” following “decal(s)” and substituted “Motor Vehicle Commission” for “Division”.

**13:20-33.52 Frame, wheels, steering, handlebars, and suspension; Class III licensees**

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

1. The frame is bent or damaged so as to affect the safe operation of the motorcycle;
2. The wheels and/or rims are bent, damaged, or defective, or the wheels are out of line, so that steering and control are adversely affected;
3. The steering-head bearing is loose, broken, defective, or out of adjustment;
4. The handlebars are loose, bent, broken, or damaged so as to affect proper steering;
5. The handlebar grips are higher than the shoulder height of the operator when he or she is seated on the motorcycle in normal driving position. Inasmuch as no portion of the handlebar grips shall be higher than the shoulder height of the operator, the measurement shall be made to the highest point on the handlebar grips;
6. Any component which is loose, bent, broken, defective, out of adjustment, or missing, so as to affect the safe operation of the motorcycle; or
7. The steering or suspension system is not in a condition equivalent to the motorcycle manufacturer's specifications.

**13:20-33.53 Windscreen, glazing, and obstruction to driver's vision; Class III licensees**

(a) A windscreen is not required on a motorcycle if the operator has in his or her possession an approved type of goggles or an approved type of face shield. If the motorcycle is equipped with a windscreen, it shall be inspected and certification shall be refused for any of the following reasons:

1. The windscreen is not of an approved type. The windscreen shall be approved as meeting Standard Z26.1 of the American National Standards Institute. The letters “AS,” along with the trademark of the manufacturer or distributor, appear on approved types of windscreens;
2. The windscreen support, or some other component, obstructs the driver's vision or is constructed or located as to constitute a hazard to the driver;
3. The windscreen is broken, cracked, discolored, or scratched so as to obstruct the driver's vision;
4. The windscreen is not securely mounted;
5. The windscreen does not provide adequate protection for the operator; or

6. A sign, poster, sticker, or other non-transparent material is on the windshield so as to obstruct the driver's vision; provided, however, an automatic vehicle identification system transponder approved by the Chief Administrator in accordance with N.J.A.C. 13:20-10, or any sticker approved by the Chief Administrator, is permitted.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" two times in (a)6.

### 13:20-33.54 Horn; Class III licensees

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

1. The motorcycle is not equipped with a horn;
2. A horn is not securely fastened to the motorcycle;
3. A horn button is placed in an unsafe position;
4. A horn button is not operating properly;
5. Horn wiring is in an unsafe condition;
6. A horn is not audible under normal conditions from a distance of not less than 200 feet; or
7. A motorcycle is equipped with a siren, whistle, or bell (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24); provided, however, that any motorcycle 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 motorcycle shall not be refused because a horn emits an excessively loud or harsh sound; however, the motorcyclist shall be advised to have the condition corrected.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (a)7.

### 13:20-33.55 Windshield wipers; Class III licensees

(a) Some three-wheeled motorcycles are equipped with a passenger automobile type of windshield. In such cases, the motorcycle shall be equipped with at least one properly operating windshield wiper to provide clear vision for the driver. A motorcycle 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 motorcycle.

(b) If a motorcycle 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.

### 13:20-33.56 Clearance lights; Class III licensees

(a) If the motorcycle is equipped with a side car or any other extension that is attached to the side thereof, there shall be a clearance light located on the outside limit of the side car or extension which displays white light to the front of the motorcycle.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

1. The clearance light is not of an approved type. Clearance lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles 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;
2. The clearance light is not permanently and securely mounted on a permanent part of the motorcycle;
3. The lens is missing, broken, or cracked;
4. The clearance light does not display white light to the front of the motorcycle; or
5. The filament does not light when the headlight is in operation.

(c) A three-wheeled motorcycle shall be equipped with amber side clearance lights or parking lights on each side visible from the front of the motorcycle.

### 13:20-33.57 Taillight, reflector, and license plate light; Class III licensees

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

1. The taillight shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter

“T,” along with the manufacturer’s name or trademark, are often on the lens of such lights;

2. The taillight shall be permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two taillights are present they shall be symmetrically disposed about the vertical centerline. The mounted height of a taillight, as measured from the center of the lens to the level surface upon which the motorcycle stands, shall be not less than 15 inches nor more than 72 inches;

3. The lens is missing, broken, or of a color other than red. Certification of a motorcycle shall not be refused because a taillight lens is cracked, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected;

4. The filament does not light when the headlight is in operation;

5. The reflector shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters “SAE” and the letter “A” (for Class A reflectors) or the letter “B” (for Class B reflectors), along with the manufacturer’s name or trademark, are on such reflectors in most cases; or

6. The reflector shall be permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two reflectors are present they shall be symmetrically disposed about the vertical centerline. The mounted height of a reflector shall be not less than 15 inches nor more than 60 inches from the level surface upon which the motorcycle stands. The mounted height of a reflector shall be measured from the center of the reflector.

(b) A three-wheeled motorcycle shall be equipped with a taillight and a red reflector on each side visible from the rear of the motorcycle.

(c) Certification of a motorcycle shall be refused if the license plate light is inoperative. License plate lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters “SAE” and the letter “L,” along with the manufacturer’s name or trademark, are often on the lens of such lights.

#### **13:20-33.58 Stoplight; Class III licensees**

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

1. The stoplight is not red or amber in color;

2. The stoplight is not of an approved type. All stoplights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters “SAE” and the letter “S,” along with the manufacturer’s name or trademark, are often on the lens of such lights;

3. The stoplight is not activated by application of the brake;

4. The stoplight is not permanently and securely mounted on the rear of the motorcycle on the vertical centerline, except that if two stoplights are present they shall be symmetrically disposed about the vertical centerline; or

5. The lens is missing. Certification of a motorcycle shall not be refused because of a cracked lens, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected.

(b) A three-wheeled motorcycle shall be equipped with a red or amber stoplight on each side visible from the rear of the motorcycle.

#### **13:20-33.59 Tires; Class III licensees**

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

1. The tread on any tire is less than 2/32 of an inch in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire;

2. Any part of the ply or cord is exposed;

3. The tire structure has a chunk, bump, knot, or bulge evidencing cord, ply, or tread separation from the casing or other adjacent material; or

4. A tire has been regrooved below the original tread depth, unless such tire was originally manufactured with extra undertread material and is marked “REGROOVABLE.”

#### **13:20-33.60 Exhaust system; Class III licensees**

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

1. An exhaust system in which the muffler is missing, defective, or not in proper operating condition;

2. An exhaust system if there is evidence of exhaust gas leakage at any point in the system;

3. The muffler is not designed especially for motorcycles or is not equivalent in quality and performance to the original manufacturer’s equipment designed for highway use;

4. There is a muffler cut-out, muffler bypass or any similar device, or any change or modification to the exhaust system which causes excessive noise;

5. 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;

6. There is excessive smoke. There shall be no more smoke than that produced by a properly maintained and functioning motorcycle;

7. An exhaust system in which all parts are not properly mounted; or

8. There is excessive vibration of the exhaust system.

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

#### 13:20-33.61 Headlights; Class III licensees

(a) Every motorcycle shall be equipped with a headlight on the front on the vertical centerline, except that if two headlights are present they shall be symmetrically disposed about the vertical centerline. Motorcycle headlights shall emit only a white light and shall be tested for proper operation. Headlights shall not be tested for aim unless they have been previously rejected at inspection for one of the reasons set forth in this section. If headlight aim testing is required, the headlight shall be aimed straight ahead with the center of the hot spot of the high beam dropped the following distance in 25 feet, as measured with the operator seated on the motorcycle:

1. Multiple beam: Four inch drop (+/-2½ inches).
2. Single beam: Nine inch drop (+/-2½ inches).

(b) Notwithstanding (a) above, if headlight aim testing is required and if seven inch or 5¾ inch sealed beam headlight units are present on the motorcycle being tested, such headlights shall meet the headlight aim requirements set forth in N.J.A.C. 13:20-33.23.

(c) Certification of a motorcycle shall be refused for any of the following reasons:

1. The motorcycle is not equipped with at least one approved type of motorcycle headlight. All headlights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motorcycles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "M," along with the manufacturer's name or trademark, often appear on approved type motorcycle headlights;

2. A motorcycle shall not have more than two headlights. If two headlights are installed, both shall operate properly and be of an approved type. Motorcycles having motors not over five horsepower may have either multiple beam or single beam headlights; all other motorcycles shall have multiple beam headlights. One seven inch sealed beam passenger automobile headlight unit of an approved type, or one 5¾ inch Type 1 and one 5¾ inch Type 2 sealed beam passenger automobile headlight unit of an approved type, may be used if desired;

3. The headlight is not securely mounted, cannot be aimed vertically or its aim is grossly misaligned, the wiring is not in proper condition, or the headlight switch (if the motorcycle is so equipped) does not operate properly;

4. The lens is cracked, missing, broken, or improperly installed;

5. There is dirt, excessive moisture, discoloration, contamination, or reflector deterioration; or

6. The light intensity is not sufficient; provided, however, that the engine speed of the motorcycle may be increased in an attempt to obtain sufficient light intensity.

(d) Certification of a motorcycle shall not be refused because the headlight rim is missing; however, the motorcyclist shall be advised to have the defect corrected.

(e) Certification of a motorcycle shall not be refused because a headlight switch is not present provided the headlight is illuminated when the ignition switch is turned on.

#### 13:20-33.62 Rear view mirrors; Class III licensees

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

1. The motorcycle is not equipped with a rear view mirror;

2. The mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges;

3. The mirror is not capable of adjustment to a fixed horizontal and vertical position;

4. The mirror is not securely or properly mounted on the motorcycle;

5. The mirror does not provide the driver adequate rear view vision; or

6. The primary rear view mirror to the left of the driver has a concave or convex shape.

#### 13:20-33.63 Miscellaneous lights; Class III licensees

(a) The lights described in this section are not required on motorcycles, unless otherwise noted, but are permitted provided they comply with the requirements set forth in this section.

(b) All miscellaneous lights used on motorcycles shall be of a type and color approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name or trademark, are often on the lens of such lights. In addition, the letters listed below often appear on the following lights:

1. Fog lights = F; or
2. Supplemental driving or passing lights = Y or Z.

(c) Any motorcycle may be equipped with not more than two auxiliary driving lights which are securely mounted on the front of the motorcycle at a height of not less than 12 inches nor more than 42 inches above the level surface upon which the motorcycle stands. Auxiliary driving lights include, but are not limited to, fog lights, passing lights, and supplemental driving lights. Auxiliary driving lights shall be aimed as set forth in N.J.A.C. 13:20-33.61. Auxiliary driving lights shall be properly installed so that their aim is not grossly misaligned nor readily disturbed by ordinary motorcycle operation. Fog lights shall be wired so that they can only be used in conjunction with the low beam headlights.

(d) The following concern turn signal lights required on three-wheeled motorcycles:

1. Two turn signal lights shall be visible from the front of the motorcycle, and two turn signal lights shall be visible from the rear of the motorcycle.
2. The entire turn signal system shall be of an approved type. All turn signal lights, flashers and operating units shall be of a type approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name or 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.
3. The turn signal lights showing to the front of the motorcycle shall be amber or white in color.
4. The turn signal lights showing to the rear of the motorcycle shall be amber or red in color.
5. All turn signal lights, systems and components shall be in proper operating condition. Certification of a motorcycle shall not be refused because a turn signal light has a cracked lens, provided no white light shows to the rear of the motorcycle and no portion of the lens is missing. However, the motorcyclist shall be advised to have the defect corrected.

(e) A spot light is a light which can be aimed at will. Any motorcycle may be equipped with not more than one spot light, but the use of any such spot light for driving purposes is prohibited. The letters "SAE" and the letter "O," along with the manufacturer's name or trademark, are often on the lens of approved type spot lights. Approved spot lights shall meet the requirements of SAE J-591b, incorporated herein by

reference. The Standards of the Society of Automotive Engineers (SAE) may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

(f) Flashing lights are prohibited on motorcycles (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24) except as a means for indicating right or left turns or for hazard warning signals.

(g) A motorcycle driven by an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-5. An identification card (permit) issued pursuant to N.J.A.C. 13:24-5 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motorcycle.

(h) All miscellaneous lights shall be permanently and securely mounted on a permanent part of the motorcycle in such a manner as to reduce the likelihood of their being obscured by mud or dirt thrown up by the wheels.

(i) Two or more lighting devices and reflectors may be combined optically, but the following combinations are prohibited:

1. A turn signal with a headlight; or
2. A clearance light with a taillight or an identification light.

(j) Motorcycles may be equipped with other lights in addition to those which are specified in this subchapter. The manufacturer's name or trademark and the letters "SAE" often appear on the lens of such lights, along with the identification letters shown below:

1. E: Side turn signal lights (mounted on motorcycle sides);
2. K: Cornering lights;
3. M: Motorcycle and motor driven cycle headlights (motorcycle type);
4. N: Motorcycle and motor driven cycle headlights (motor driven cycle type);
5. R: Back-up lights;
6. U: Supplemental high-mounted stop and turn signal lights;
7. V: Liquid burning emergency flares;
8. W4: Emergency reflex reflectors; or
9. X: Electric emergency lanterns.

Amended by R.2001 d.358, effective October 15, 2001.  
See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).  
In (j)7, inserted "V:" preceding "Liquid".

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (f).

**13:20-33.64 Wiring, switching, and electrical equipment; Class III licensees**

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

1. The wiring and/or switches are not in proper condition, are improperly installed, or are so located as to cause damage;
2. The switches do not function properly;
3. A connection is not secure or shows signs of damage;
4. The power for lights is not provided by a generator, alternator, or magneto. Dry cell batteries are not acceptable as a source of electrical energy except for parking lights; or
5. Any defect in wiring or switching which adversely affects the lighting performance of any exterior light.

(b) Certification of a motorcycle shall not be refused because a headlight switch is not present provided the headlight is illuminated when the ignition switch is turned on.

(c) Certification of a motorcycle shall not be refused if replacement switches are present which perform the same function as original switches, provided the safe operation of the motorcycle is not adversely affected.

(d) Certification of a motorcycle shall not be refused if replacement switches are present which perform the same function as the original switches but are not located in the original switch position(s), provided the safe operation of the motorcycle is not adversely affected.

**13:20-33.65 Headlight beam indicator light; Class III licensees**

(a) Certification of a motorcycle shall not be refused because the headlight beam indicator light is inoperative or does not operate properly; however, the motorcyclist shall be advised to have the defect corrected.

(b) A headlight beam indicator light is not required on motorcycles equipped with single beam headlights.

**13:20-33.66 Miscellaneous items; Class III licensees**

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

1. Fuel leakage at any point in the motorcycle fuel system;
2. The fuel tank and piping are not securely mounted or are not in proper condition;
3. The fuel tank is not properly capped;

4. The chainguard does not provide sufficient protection; or

5. The speed recording instrument (speedometer) or the mileage recording instrument (odometer) is inoperative or does not operate properly.

(b) The rear fenders of three-wheeled motorcycles shall extend downward to the rear at least three-quarters of the distance from the top of the tire to the horizontal centerline of the tire. Fender flaps may be attached to the rear fenders to provide the required length.

**13:20-33.67 Service brakes (including service brake equalization, service brake pedal reserve, and parking brake on three-wheeled motorcycles); Class III licensees**

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

1. The motorcycle is not equipped with front and rear brakes adequate to control the movement of and stop the motorcycle within a safe distance; or, for 1973 and earlier model year motorcycles, the motorcycle is not equipped with at least one brake adequate to control the movement of and stop the motorcycle within a safe distance;

2. Levers (foot and hand) do not have at least one-third of their average travel distance as reserve after the brakes are fully applied;

3. Any leak in a hydraulic brake system; or

4. Any defect in mechanical components.

(b) A three-wheeled motorcycle shall be equipped with a parking brake in proper operating condition.

(c) The parking brake shall be able to hold the motorcycle stationary on any up or down grade upon which it can be operated, whether the motorcycle is empty or loaded.

(d) The parking brake shall be equipped with an automatic locking device which will hold the brake in the applied position.

(e) When the parking brake is applied, there shall be a minimum of one-third of the total average travel (as per the motorcycle manufacturer's specifications) remaining.

(f) The service brakes on a three-wheeled motorcycle shall be properly equalized.

**13:20-33.68 Helmets; Class III licensees**

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

1. There is not an approved type of safety helmet in the possession of the motorcycle operator. An approved type of safety helmet is marked to meet Federal Motor Vehicle

Safety Standard No. 218, along with the manufacturer’s or distributor’s trademark.

- 2. The safety helmet is not equipped with either a neck or chin strap; or
- 3. The safety helmet is not reflectorized over an area of at least four square inches on each side of the helmet. Red, white, or amber reflectorized safety tape shall be used and shall be securely affixed to the helmet in a permanent waterproof manner.

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

In (a)3, deleted last sentence.

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In (a)1, deleted “Standard Z90.1 of the American National Standards Institute or” following “is marked to meet” and inserted “No.” preceding “218”.

**13:20-33.69 Goggles or face shields; Class III licensees**

(a) A motorcycle operator is not required to have goggles or a face shield in his or her possession if the motorcycle is equipped with an approved type of windscreen in accordance with N.J.A.C. 13:20-33.53. If the motorcycle is not equipped with an approved type of windscreen, it shall not be certified unless the operator has in his or her possession either an approved type of goggles or an approved type of face shield.

(b) Approved type goggles and approved type face shields are marked to meet Standard Z2.1 or Standard Z87.1 of the American National Standards Institute or Regulation V-8. The letters and numbers Z2.1 or Z87.1 or V-8 appear on such goggles and face shields, along with the trademark of the manufacturer or distributor.

**13:20-33.70 Seats; Class III licensees**

(a) Motorcycles designed for occupancy by two people shall have either one permanent seat designed for two persons, or a separate passenger seat located to the rear or side of the seat for the operator.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

- 1. The seats are not equivalent in quality and safety to the original manufacturer’s equipment;
- 2. Each seat is not securely mounted; or
- 3. The seats are not of sufficient strength or are mounted in such a manner that the operator and passenger cannot ride without crowding or interfering with the operation of the motorcycle.

**13:20-33.71 Foot rests; Class III licensees**

(a) Motorcycles designed to carry more than one person shall be equipped with adequate foot rests for each passenger.

(b) Certification of a motorcycle shall be refused for any of the following reasons:

- 1. The foot rests are not equivalent in quality and performance to the original manufacturer’s equipment;
- 2. The foot rests are not securely mounted;
- 3. The foot rests are not capable of supporting the full weight of the user; or
- 4. The foot rests for passengers are mounted in such a manner as to interfere with the operation of the motorcycle.

**APPENDIX A**

**AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A MOTOR VEHICLE HAVING A GVWR OF 8,500 POUNDS OR LESS**

<u>Item Reinspected</u>	<u>Time Required</u>
Credentials .....	.1 hour*
License Plates .....	.1 hour *
Steering and Suspension .....	.5 hour
Front Parking Lights .....	.1 hour *
Glazing .....	.2 hour
Obstruction to Driver’s Vision .....	.1 hour *
Horn .....	.1 hour *
Windshield Wipers .....	.2 hour
Turn Signals and/or Hazard Warning Signals ...	.2 hour
Clearance Lights, Reflectors, Identification	
Lights and/or Side-Marker Lights .....	.2 hour
Taillights and/or License Plate Light .....	.1 hour *
Stoplights .....	.1 hour *
Wheels and/or Tires .....	.2 hour
Exhaust System .....	.2 hour
Engine Emissions (CO, HC, NO <sub>x</sub> and/or	
Smoke) .....	.5 hour
Fuel Cap Leak Test .....	.2 hour
On-Board Diagnostics (OBD) Inspection .....	.3 hour
Catalytic Converter .....	.2 hour
Headlights .....	.3 hour
Rear View Mirrors .....	.1 hour *
Miscellaneous Lights .....	.2 hour
Wiring and/or Switching .....	.2 hour
Miscellaneous Items .....	.3 hour
Service Brakes .....	.5 hour
Parking Brake and Reserve .....	.2 hour
Service Brake Equalization .....	.5 hour
Service Brake Pedal Reserve .....	.2 hour

\* Note: If this is the only item to be reinspected on a motor vehicle, the reinspection time shall be considered to be .2 hour.

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Substituted “Fuel Cap Leak Test” for “Gas Cap Test” and “On-Board Diagnostics (OBD) Inspection” for “On-Board Diagnostic (OBD) Test”; deleted “Pressure Test .3 hour”.

**APPENDIX B**

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

<u>Item Reinspected</u>	<u>Time Required</u>
Credentials .....	.1 hour *
License Plates .....	.1 hour *
Steering and Suspension .....	.7 hour
Front Parking Lights .....	.1 hour *
Glazing .....	.2 hour
Obstruction to Driver's Vision .....	.1 hour *
Horn .....	.1 hour *
Windshield Wipers .....	.2 hour
Turn Signals and/or Hazard Warning Signals ...	.2 hour
Clearance Lights, Reflectors, Identification	
Lights and/or Side Marker Lights .....	.2 hour
Taillights and/or License Plate Light .....	.1 hour *
Stoplights .....	.1 hour *
Wheels and/or Tires .....	.2 hour
Exhaust System .....	.4 hour
Engine Emissions (CO, HC and/or Smoke) .....	.5 hour
Fuel Cap Leak Test .....	.2 hour
Catalytic Converter .....	.2 hour
Headlights .....	.3 hour
Rear View Mirrors .....	.1 hour *
Miscellaneous Lights .....	.2 hour
Wiring and/or Switching .....	.2 hour
Miscellaneous Items .....	.3 hour
Service Brakes .....	.7 hour
Parking Brake and Reserve .....	.4 hour
Service Brake Equalization .....	.7 hour
Service Brake Pedal Reserve .....	.4 hour

\* Note: If this is the only item to be reinspected on a motor vehicle, the reinspection time shall be considered to be .2 hour.

Amended by R.2003 d.206, effective May 19, 2003.  
See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).  
Substituted "Fuel Cap Leak Test" for "Gas Cap Test".

**APPENDIX C**

**AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A MOTORCYCLE**

<u>Item Reinspected</u>	<u>Time Required</u>
Credentials .....	.1 hour *
License Plate .....	.1 hour *
Frame, Wheels, Steering, Handlebars and/or	
Suspension .....	.2 hour
Parking Lights .....	.1 hour *
Windscreen and/or Glazing .....	.2 hour
Obstruction to Driver's Vision .....	.1 hour *
Horn .....	.1 hour *
Windshield Wipers .....	.2 hour
Turn Signals and/or Hazard Warning Signals ...	.2 hour
Clearance Lights, Reflectors, Identification	
Lights and/or Side-Marker Lights .....	.2 hour

<u>Item Reinspected</u>	<u>Time Required</u>
Taillights and/or License Plate Light .....	.1 hour *
Stoplights .....	.1 hour *
Tires .....	.2 hour
Exhaust System (Including Smoke) .....	.2 hour
Headlights .....	.2 hour
Rear View Mirrors .....	.1 hour *
Miscellaneous Lights .....	.2 hour
Wiring, Switching and/or Electrical Equip	
ment .....	.2 hour
Miscellaneous Items .....	.2 hour
Service Brakes .....	.2 hour
Parking Brake and Reserve .....	.2 hour
Service Brake Equalization .....	.2 hour
Service Brake Pedal Reserve .....	.2 hour
Helmets .....	.1 hour *
Goggles and/or Face Shields .....	.1 hour *
Seats and/or Foot Rests .....	.1 hour *

\* Note: If this is the only item to be reinspected on a motorcycle, the reinspection time shall be considered to be .2 hour.

**SUBCHAPTER 34. IDENTIFYING MARKS**

**13:20-34.1 Definitions**

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

"Courtesy marks" means particular identifying marks having inscribed thereon motor vehicle registration numbers comprised of three alphabetic characters and any number from 1 through 20, except those combinations hereinafter reserved.

"Legislature courtesy marks" mean courtesy marks hereinafter reserved for members of the Senate and General Assembly of the State of New Jersey.

"Particular identifying mark or marks" mean motor vehicle license plates having inscribed thereon motor vehicle registration numbers comprised of combinations of letters or numbers, or both, requested by the registrants.

"Personalized marks" mean particular identifying marks having inscribed thereon motor vehicle registration numbers comprised of any combination of alphabetic characters or numbers, or both, except combinations defined as courtesy marks.

**13:20-34.2 Registration numbers reserved**

(a) The following registration numbers are reserved as specified:

1. Registration numbers comprised of two alphabetic characters only and registration numbers comprised of one alphabetic character and a single digit for vehicles owned or leased by members of the Senate of the State of New