

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

N.J.S.A. 39:2-3, 39:3-10, 39:3-11, 39:3-27.14, 39:3-27.39, 39:3-27.44, 39:3-27.45, 39:3-33.3, 39:3-33.7, 39:3-43, 39:3-63, 39:3-75, 39:3-75.2, 39:3-76.6, 39:3-77, 39:3-81, 39:3-84a(10), 39:3B-5, 39:3B-10, 39:3B-24, 39:4-208, 39:5-30, 39:5B-29a, 39:8-1, 39:8-2, 39:8-4, 39:8-4.1, 39:8-10, 39:8-57, 39:8-77, and 39:10-4; and Reorganization Plan 005-1998.

Source and Effective Date

R.2014 d.008, effective December 4, 2013.
See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Chapter Expiration Date

Chapter 20, Enforcement Service, expires on December 4, 2020.

Chapter Historical Note

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

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

Subchapter 27 was adopted as new rules by R.1971 d.86, effective June 1, 1971. See: 3 N.J.R. 84(a), 3 N.J.R. 136(d).

Subchapter 28, Inspection of New Motor Vehicles, was adopted as new rules by R.1971 d.144, effective October 1, 1971. See: 3 N.J.R. 112(a), 3 N.J.R. 181(a). Subchapter 28 was amended by R.1971 d.222, effective December 10, 1971. See: 3 N.J.R. 226(a), 4 N.J.R. 10(c).

Subchapter 29, Mobile Inspection Unit, was adopted as new rules by R.1972 d.106, effective June 1, 1972. See: 4 N.J.R. 105(b), 4 N.J.R. 165(b).

Subchapter 30, Supplemental Inspection of School Buses, was adopted as new rules by R.1972 d.154, effective August 7, 1972. See: 4 N.J.R. 163(a), 4 N.J.R. 223(b).

Subchapter 31, Alcohol Countermeasures Regulations, was adopted as new rules by R.1972 d.255, effective December 15, 1972. See: 4 N.J.R. 273(a), 5 N.J.R. 18(c).

Subchapter 32, Motor Vehicle Reinspection Centers, was adopted as new rules by R.1975 d.333, effective November 3, 1975. See: 7 N.J.R. 433(b), 7 N.J.R. 570(c).

Subchapter 33, Enforcement Service: Standards and Procedures To Be Used By Licensed Reinspection Centers, was adopted as new rules by R.1975 d.334, effective November 3, 1975. See: 7 N.J.R. 469(d), 7 N.J.R. 570(d).

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

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

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

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

Subchapter 36, Special National Guard Plates, was adopted as new rules by R.1981 d.31, effective January 28, 1981. See: 12 N.J.R. 427(a), 13 N.J.R. 150(e).

Pursuant to Executive Order No. 66(1978), Subchapter 31, Alcohol-Countermeasures Regulations, was readopted as R.1984 d.7, effective January 4, 1984. See: 15 N.J.R. 1923(a), 16 N.J.R. 247(b).

Pursuant to Executive Order No. 66(1978), Subchapter 33, Enforcement Service: Standards and Procedures To Be Used By Licensed Reinspection Centers, was readopted as R.1984 d.173, effective April 25, 1984. See: 16 N.J.R. 503(a), 16 N.J.R. 1280(d).

Subchapter 12, Accident Prevention Clinic, was adopted as new rules by R.1984 d.492, effective October 16, 1984. See: 16 N.J.R. 2347(a), 16 N.J.R. 3054(b).

Subchapter 28, Inspection of New Motor Vehicles, was amended by R.1984 d.622, effective January 21, 1985 (operative July 1, 1985). See: 16 N.J.R. 2500(a), 17 N.J.R. 203(a).

Subchapter 38, Dimensional Standards for Automobile Transporters, was adopted as new rules by R.1985 d.23, effective February 4, 1985. See: 16 N.J.R. 3176(a), 17 N.J.R. 313(b).

Subchapter 37, Standards for Motor Vehicles with Modified Chassis Height, was adopted as new rules by R.1985 d.100, effective March 4, 1985. See: 16 N.J.R. 2501(a), 17 N.J.R. 603(a).

Pursuant to Executive Order No. 66(1978), Subchapter 28, Inspection of New Motor Vehicles, was adopted as new rules by R.1985 d.379, effective June 27, 1985. See: 17 N.J.R. 1059(a), 17 N.J.R. 1901(a).

Pursuant to Executive Order No. 66(1978), Subchapter 36, Special National Guard Plates, was readopted as R.1985 d.678, effective December 18, 1985. See: 17 N.J.R. 2602(a), 18 N.J.R. 203(a).

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

Subchapter 39, Special Registration Plates for Non-Profit Organizations, was adopted as new rules by R.1988 d.537, effective November 7, 1988. See: 20 N.J.R. 2033(a), 20 N.J.R. 2788(a).

Pursuant to P.L. 1984, c.243 (N.J.S.A. 26:2B-9.1), Subchapter 31, Alcohol Countermeasures Regulations, was recodified to N.J.A.C. 8:66-1. See: 21 N.J.R. 70(a).

Subchapter 1, Enforcement Officer, was repealed by R.1989 d.518, effective October 2, 1989. See: 21 N.J.R. 1500(b), 21 N.J.R. 3176(a).

Subchapter 3, Identification Lights, was repealed and recodified as new rules at N.J.A.C. 13:24-5 by R.1989 d.542, effective October 16, 1989. See: 21 N.J.R. 2460(a), 21 N.J.R. 3299(c).

Subchapter 40, Reflectorized Registration Plates, was adopted as new rules by R.1990 d.322, effective June 18, 1990. See: 22 N.J.R. 1230(b), 22 N.J.R. 1940(b).

Pursuant to Executive Order No. 66(1978), Subchapter 10, Automatic Vehicle Identification Systems, was readopted as R.1990 d.491, effective October 1, 1990. See: 22 N.J.R. 2133(a), 22 N.J.R. 3151(b).

Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted as R.1991 d.20, effective December 13, 1990. See: 22 N.J.R. 3307(a), 23 N.J.R. 207(b).

Subchapter 31, Private Inspection Center Licensing, was adopted as new rules by R.1991 d.253, effective May 6, 1991. See: 23 N.J.R. 387(a), 23 N.J.R. 1417(b).

Subchapter 41, Persian Gulf War Commemorative License Plates, was adopted as new rules by R.1992 d.20, effective January 6, 1992. See: 23 N.J.R. 2916(a), 24 N.J.R. 108(a).

Subchapter 42, Purple Heart Emblems on License Plates, was adopted as new rules by R.1992 d.168, effective April 6, 1992. See: 24 N.J.R. 219(a), 24 N.J.R. 1365(a).

Subchapter 43, Enhanced Motor Vehicle Inspection and Maintenance Program, Subchapter 44, Private Inspection Facility Licensing, and Subchapter 45, Motor Vehicle Emission Repair Facility Registration,

were adopted as emergency new rules by R.1995 d.410, effective June 29, 1995 (expires August 28, 1995). See: 27 N.J.R. 2777(a). The concurrent proposal of Subchapters 43, 44 and 45 was adopted as R.1995 d.528, effective August 28, 1995. See: 27 N.J.R. 3820(a).

Subchapter 31, Private Inspection Center Licensing, was repealed by R.1995 d.664, effective December 18, 1995. See: 27 N.J.R. 3911(a), 27 N.J.R. 5033(a).

Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted effective December 13, 1995, and Subchapter 2, Vehicle Construction, Subchapter 8, Motor Vehicles Transporting Flammable Liquids, Subchapter 11, School Bus Warning Lamps, Subchapter 16, Concrete Ready-Mix Transit Vehicles, Subchapter 18, Flashing Warning Signals, Subchapter 19, Seat Belts, Subchapter 20, New Tires, Subchapter 21, Retread Tires, Subchapter 23, Fastening Loads on Commercial Flat Bed Vehicles, and Subchapter 41, Persian Gulf War Commemorative License Plates, were repealed effective January 16, 1996 by R.1996 d.28. See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

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

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

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

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

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

Pursuant to Executive Order No. 66(1978), Chapter 20, Enforcement Service, was readopted as R. 2001 d.20, effective December 13, 2000, and Subchapter 40, ReflectORIZED Registration Plates, was repealed by R.2001 d.20, effective January 16, 2001. See: 32 N.J.R. 3720(a), 33 N.J.R. 269(a).

Subchapter 1, Standards and Specifications Governing the Types of Sun-Screening Materials and Products that May Be Installed or Applied to Windshields and Front Side Windows of Motor Vehicles for which Medical Exemption Certificates have been Issued; Standards Governing the Issuance of Medical Exemption Certificates; and Subchapter 2, Registration of Facilities that Install or Apply Approved Sun-Screening Materials and Products to Windshields and Front Side Windows of

Motor Vehicles for which Medical Exemption Certificates have been Issued, were adopted as new rules by R.2001 d.341, effective September 17, 2001. See: 33 N.J.R. 2450(a), 33 N.J.R. 3343(a).

Subchapter 31, School Bus Enhanced Safety Inspection Out-of-Service Criteria; Subchapter 51, Standards for Type S School Buses; Subchapter 52, Insurance; Subchapter 53, Standards for Alternatively Fueled School Buses; Subchapter 53A, Standards for School Buses Having Fuel Systems Using Liquefied Petroleum Gas; Subchapter 53B, Standards for School Buses Having Fuel Systems Using Compressed Natural Gas; and Subchapter 53C, Standards for School Buses Having Fuel Systems Using Liquefied Natural Gas, were adopted as new rules by R.2003 d.36, effective January 21, 2003. See: 34 N.J.R. 829(a), 35 N.J.R. 450(a).

Subchapter 49F, Small Vehicle Standards, was repealed by R.2003 d.36, effective January 21, 2003. See: 34 N.J.R. 829(a), 35 N.J.R. 450(a).

Subchapter 27, Inspection of New Heavy-Duty Diesel Trucks, was adopted as new rules by R.2004 d.133, effective April 5, 2004. See: 35 N.J.R. 2575(a), 36 N.J.R. 1821(a).

Subchapter 8, Penalty Reduction for Non-Out-Of-Service Equipment Violations, was adopted as new rules by R.2004 d.207, effective June 7, 2004. See: 36 N.J.R. 2789(b).

Subchapter 50, Standards for School Buses Manufactured January 2006 and Thereafter; Subchapter 50A, Chassis Standards for School Buses Manufactured January 2006 and Thereafter; Subchapter 50B, Body Standards for School Buses Manufactured January 2006 and Thereafter; and Subchapter 50C, Standards for Specially Equipped School Buses Manufactured January 2006 and Thereafter, were adopted as new rules by R.2005 d.24, effective January 18, 2005. See: 35 N.J.R. 5483(a), 37 N.J.R. 321(a).

Subchapter 49G, Inspection, was repealed by R.2005 d.24, effective January 18, 2005. See: 35 N.J.R. 5483(a), 37 N.J.R. 321(a).

Chapter 20, Enforcement Service, was readopted as R.2006 d.249, effective June 8, 2006. See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Subchapter 26, Compliance with Diesel Emission Standards and Equipment, Periodic Inspection Program for Diesel Emissions, and Self-Inspection of Certain Classes of Motor Vehicles, was renamed Compliance with Diesel Emission Standards and Equipment, Periodic Inspection Program for Diesel Emissions and Self-Inspection of Certain Classes of Motor Vehicles by R.2009 d.312, effective October 19, 2009. See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Subchapter 51, Standards for Type S School Buses, was renamed Standards for Type S School Vehicles by R.2012 d.023, effective February 6, 2012. See: 43 N.J.R. 1831(a), 44 N.J.R. 287(b).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 20, Enforcement Service, was scheduled to expire on June 8, 2013. See: 43 N.J.R. 1203(a).

Chapter 20, Enforcement Service, was readopted as R.2014 d.008, effective December 4, 2013. As a part of R.2014 d.008, Subchapter 4, Power Steering Installation, was renamed Vehicle Equipment; Subchapter 5, Manual Door Equipment, and Subchapter 6, Muffler Devices, were repealed and recodified in part to Subchapter 4; Subchapter 9, Handicapped Parking Privileges, was renamed Persons With a Disability Parking Privileges; Subchapter 17, Driver Improvement Schools, was renamed Remedial Driver Education, and Subchapter 26, Compliance with Diesel Emission Standards and Equipment, Periodic Inspection Program for Diesel Emissions and Self-Inspection of Certain Class of Motor Vehicles was renamed Compliance with Diesel Emission Standards and Equipment, Periodic Inspection Program for Diesel Emissions, and Self-Inspection of Certain Class of Motor Vehicles; Subchapter 14 of N.J.A.C. 13:19, Driver Improvement Program and Probationary Driver Program, was recodified to Subchapter 18; and Subchapter 22, Brake Linings, Subchapter 25, Safety Glazing Material; Other Equipment, Subchapter 47, Diesel Emission Inspection Center Licensing, and Subchapter 48, Inspection Standards and Test Procedures To Be Used By Licensed Diesel Emission Inspection Centers, were repealed, effective January 6, 2014. See: Source and Effective Date. See, also, section annotations.

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“Person” includes natural persons, firms, copartnerships, associations, and corporations, including a toll authority or agency organized under the laws of this State or any other state.

“Transponder” means a receiver/transmitter which automatically receives radio or light signals from an interrogation/receiver and emits a reply pulse to the interrogation/receiver.

“Vehicle” means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

Amended by R.1991 d.249, effective May 6, 1991.
See: 23 N.J.R. 21(a), 23 N.J.R. 1417(a).

Added “or traffic management” to the definition of “Automatic vehicle identification system.” Changed “System” to “Systems” in heading.

13:20-10.2 Application

(a) A person may apply to the Chief Administrator to obtain approval of an automatic vehicle identification system for use on a vehicle, motor vehicle or motor-drawn vehicle registered in this State. The person shall provide the Chief Administrator with sufficient information regarding the size, dimensions, composition, operation and proposed use of the automatic vehicle identification system as the Chief Administrator may require, to enable the Chief Administrator to determine whether the device is safe for use on a vehicle, motor vehicle or motor-drawn vehicle registered in this State. The Chief Administrator may require the applicant to provide test results from an independent laboratory.

(b) The Chief Administrator reserves the right to require an applicant to furnish, without charge, a reasonable number of properly identified samples for examination or to provide such demonstration as may be required.

(c) The Chief Administrator reserves the right to require such additional proof as may be needed to make his or her determination.

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

In (c), inserted “or her” preceding “determination”.
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” throughout.

13:20-10.3 Placement

(a) Each owner or operator of a motor vehicle registered in this State who participates in a program of an automatic vehicle identification system operated by a toll authority or agency organized under the laws of this State or any other State shall have a transponder attached to inside the motor vehicle on the left most side of the windshield as viewed from inside the motor vehicle or at such other location on the motor vehicle as the Chief Administrator deems appropriate.

The transponder shall not cover the inspection decal and shall be located in a position on the windshield that will not unduly restrict the vision of the driver. No more than one transponder shall be attached to the windshield of a motor vehicle pursuant to this subchapter.

(b) The placement of an automatic vehicle identification system on vehicles or motor-drawn vehicles registered in this State shall be determined by the Chief Administrator based upon the size and configuration of the vehicle or motor-drawn vehicle.

(c) Nothing in this subchapter shall prohibit the placement of an automatic vehicle identification system transponder on any portion of a motor vehicle, vehicle or motor-drawn vehicle registered in this State on which its placement is not currently prohibited by either the statutory or regulatory provisions of this State.

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

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

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) and (b).

SUBCHAPTER 11. (RESERVED)

SUBCHAPTER 12. DRIVER REEXAMINATION

13:20-12.1 Definitions

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

“Moving traffic violation” means a violation of the provisions of Title 39 of the Revised Statutes when actual operation and movement of a vehicle is an element of the statutory violation.

“Traffic accident” means an accident which is required to be reported under the provisions of N.J.S.A. 39:4-130.

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

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

Amended “Moving traffic violation”.

13:20-12.2 Reexamination; categories

(a) The Chief Administrator may require persons who operate motor vehicles on the highways of this State to be reexamined to determine their ability to operate motor vehicles safely. Reexamination may be required of persons in the following categories:

1. Persons having mental or physical disorders which may affect their ability to safely operate a motor vehicle.

2. Persons involved in a traffic accident resulting in a fatality where a violation of any of the provisions of N.J.S.A. 39:4-1 et seq. is established;

3. Persons who have accumulated 12 or more points as provided in N.J.A.C. 13:19-10.1;

4. Persons convicted of violating any of the provisions of N.J.S.A. 39:4-1 et seq. where the judge determines that the offense was of such a careless, reckless or indifferent nature as to require reexamination.

As amended, R.1979 d.435, eff. October 31, 1979.

See: 11 N.J.R. 349(a), 11 N.J.R. 628(c).

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

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

In (a)4 substituted "the judge determines that" for "it appears".

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 introductory paragraph of (a).

Case Notes

Mere fact that 87-year-old motorist was involved in automobile collision was not sufficient grounds for driver reexamination. *Division of Motor Vehicles v. Kindig*, 96 N.J.A.R.2d (MVH) 39.

Hearsay opinion in police report, when successfully rebutted, was not a sufficient basis to require licensee to undergo driver re-examination. *Division of Motor Vehicles v. Cioffi*, 95 N.J.A.R.2d (MVH) 57.

Reexamination for deafness warranted. *Division of Motor Vehicles v. Ahrberg*, 92 N.J.A.R.2d (MVH) 12.

Hitting parked car did not warrant reexamination. *Division of Motor Vehicles v. Falzarano*, 92 N.J.A.R.2d (MVH) 6.

13:20-12.3 Vision examination

The Chief Administrator may require a vision examination, by a New Jersey licensed doctor of medicine or optometrist, of persons involved in one traffic accident who have not had a vision check by Motor Vehicle Commission personnel within the 10-year period immediately preceding the date of the accident.

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

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

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" and "Motor Vehicle Commission" for "Division".

Case Notes

Hitting parked car did not warrant reexamination. *Division of Motor Vehicles v. Falzarano*, 92 N.J.A.R.2d (MVH) 6.

SUBCHAPTER 13. (RESERVED)

SUBCHAPTER 14. PARKING ON STATE PROPERTY

13:20-14.1 Vehicle registration and parking permit

Except as hereinafter provided, the operator of any motor vehicle shall not park, store or drive said vehicle on any parking area, building or grounds, under the jurisdiction of the Motor Vehicle Commission unless said vehicle is properly registered with the Motor Vehicle Commission and a parking permit is issued for same.

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 of Motor Vehicles" throughout.

13:20-14.2 Application

Application for the registration and the issuance of a parking permit shall be made to the person or officer having jurisdiction in such matters (Chief Personnel Officer).

13:20-14.3 Affixing permit

Upon approval a permit will be issued for the vehicle for which the application is made, and said permit is to be affixed to the right rear window of said vehicle in the lower corner.

13:20-14.4 Infringement on reserved spaces

These rules shall require that spaces that are reserved for any person, or agency, shall be recognized as such, and that there be no infringement of reservation privileges.

13:20-14.5 Duration of parking privilege

The privilege of parking will remain in effect so long as the person to whom the permit is issued abides by all of the rules of safe driving, and the rules prescribed by the issuing authority, and does not encroach upon the rights of others.

13:20-14.6 Suspension

The privilege herein granted shall be suspended during any State or national emergency.

13:20-14.7 Penalty

Any person or persons violating these regulations shall be subject to the penalties prescribed by N.J.S.A. 39:4-209.

SUBCHAPTER 15. STUD TIRES

13:20-15.1 Definitions

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

“Body of a tire” means the fabric or cord material to which the rubber tread material is bonded.

“Manufacturer” means the person or corporation who makes or fabricates the tire or tread.

“Psi” means pressure in pounds per square inch.

“Stud” means a pin type device prepared for installation in the tread of an automobile and consists of a tungsten carbide core bonded to an outer casing or shell of plastic, aluminum or steel.

“Stud tire” means an automobile tire fitted with studs in the tread in openings molded for that purpose by the tire or tread manufacturer.

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

13:20-15.2 Federal requirements

(a) The manufacturer shall prepare precise specifications covering the number, pattern of installation and type of stud to be used in each type of tire for which approval is applied.

(b) When installed there shall be a minimum of $\frac{1}{8}$ inch of rubber between the base of the stud and the body of the tire.

(c) When installed the tip of the stud shall project not more than .060 inch from the surface of the tire.

(d) In the interest of highway maintenance, approval for stud tires will not be granted for tires operating with recommended air pressure greater than 36 p.s.i.

(e) Studs when inserted shall be firmly and squarely seated in the tire.

(f) The manufacturer shall be responsible for proper installation of studs whether such installation is done as a factory operation or by a dealer or jobber licensed by the manufacturer.

(g) No stud tire shall be used on a public highway earlier than November 15, or later than April 1, of any winter season.

As amended, R.1971 d.180, effective October 15, 1971.
See: 3 N.J.R. 180(c), 3 N.J.R. 227(b).

13:20-15.3 Application for product approval

(a) A manufacturer of a stud tire seeking approval of its product for legal sale and/or use in New Jersey shall apply for such approval by letter addressed to the Chief Administrator stating that its product meets the “Requirements for Product Approval.”

(b) The Chief Administrator reserves the right to require additional proof of product conformity with such requirements.

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

In (a), substituted “for such approval” for “therefore” preceding “by letter”, and substituted “its” for “his” throughout the paragraph.

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” throughout.

13:20-15.4 Provisional certificate

(a) A provisional certificate of approval may be issued by the Chief Administrator provided that:

1. The manufacturer applies for a provisional certificate of approval, certifying that its product conforms with the requirements of this subchapter.

2. Three matched pairs of sample tires of the type for which approval is requested are submitted to the Chief Administrator in such size or sizes as he or she may designate. The Chief Administrator reserves the right to deny a certificate of approval for any type of stud tire he or she has reason to believe does not conform with the requirements of this subchapter.

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

Rewrote the section.

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” throughout.

SUBCHAPTER 16. (RESERVED)

SUBCHAPTER 17. REMEDIAL DRIVER EDUCATION

13:20-17.1 Purpose

(a) The Chief Administrator of the Motor Vehicle Commission recognizing his or her responsibility to control the driving of persons to whom he or she issues driver licenses and further recognizing his or her responsibility in the field of highway safety hereby promulgates this subchapter establishing requirements for remedial driver education.

(b) The purpose of the remedial driver education programs is to correct the attitude, driving habits, and disregard of the motor vehicle laws of drivers who, in the opinion of the Chief Administrator and according to the records of the Commission, have established unfavorable driving records.

Amended by R.1996 d.28, effective January 16, 1996.
See: 27 N.J.R. 4140(a), 28 N.J.R. 272(a).

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

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

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”, and “Motor Vehicle Commission” for “Division of Motor Vehicles” throughout; in (a), deleted “in the Department of Transportation” preceding “recognizing”; and substituted “Commission” for “Division” following “establishing”; and in (b), substituted “Commission” for “Division” in two places.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

In (a), substituted "subchapter establishing requirements for remedial driver education" for "regulation establishing Commission Driver Improvement Schools"; and in (b), substituted "remedial driver education programs" for "Commission Driver Improvement Schools", and inserted a comma following "habits".

13:20-17.2 Attendance

The Chief Administrator may require attendance at and successful completion of a remedial driver education program as a condition to restoration of a driver license privilege, or he or she may permit attendance in lieu of all or part of a period of suspension.

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

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

Inserted "or her" preceding "discretion" and inserted "or she" preceding "may permit".

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".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Deleted ", in his or her discretion," following "Administrator", and substituted "remedial driver education program" for "Driver Improvement School Course".

13:20-17.3 Amount of fee

(a) Any person attending a remedial driver education program administered by the Commission shall pay an attendance fee of \$150.00.

(b) Any person attending a remedial education program administered by a licensed driving school or approved Statewide safety organization shall pay a \$75.00 administrative fee to the Commission and a fee of up to \$75.00 to the provider administering the remedial driver program.

R.1972 d.155, eff. August 7, 1972.

See: 4 N.J.R. 165(a), 4 N.J.R. 223(c).

R.1982 d.485, eff. January 17, 1983.

See: 14 N.J.R. 1154(b), 15 N.J.R. 93(b).

Increased fee from \$20.00 to \$40.00.

Amended by R.1995 d.365, effective July 3, 1995.

See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

Increased the fee from \$40.00 to \$100.00.

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 of Motor Vehicles".

Amended by R.2009 d.219, effective July 6, 2009.

See: 41 N.J.R. 862(a), 41 N.J.R. 2681(a).

Updated the fee amount.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Rewrote the section.

13:20-17.4 Manner of payment

(a) Payment of the prescribed attendance fee of a Commission-administered program, and payment of the prescribed administrative fee for students participating in a provider-administered program, pursuant to N.J.A.C. 13:20-17.3, shall be made only by check or money order. Such check or money order shall accompany the request for an opportunity to attend a remedial driver education program.

(b) Both request and payment must be sent to the Driver Management Bureau, Driver Education and Improvement Unit, Motor Vehicle Commission, 225 East State Street, P.O. Box 139, Trenton, New Jersey 08666-0139 within 10 days from the date of the notice of proposed suspension.

(c) No one shall be scheduled to attend remedial driver education until the full attendance fee for that person has been received by the Motor Vehicle Commission.

R.1972 d.155, eff. August 7, 1972.

See: 4 N.J.R. 165(a), 4 N.J.R. 223(c).

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

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

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 of Motor Vehicles" throughout; and in (b), substituted "Management" for "Improvement" and inserted "Driver Education and Improvement Unit," and "P.O. Box 139," and "-0139".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Rewrote (a); and in (c), substituted "remedial driver education" for "driver improvement school".

13:20-17.5 Penalty

(a) Failure to make payment in the amount and manner prescribed in this subchapter shall automatically result in the imposition of the suspension for the period originally set forth in the notice of proposed suspension.

(b) A person who enrolls in a probationary driver program (PDP) course shall make payment and complete the course within 120 days from the date of the fee notice, as printed on the notice. A person who enrolls in a driver improvement program (DIP) course shall complete the course within 60 days from the date of the fee due notice, as printed on the notice.

R.1972 d.155, eff. August 7, 1972.

See: 4 N.J.R. 165(a), 4 N.J.R. 223(c).

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Inserted designation (a); in (a), substituted "this subchapter" for "these provisions"; and added (b).

13:20-17.6 Remedial driver education program attendance

(a) A person who is permitted to attend a driver improvement program of the Motor Vehicle Commission in total or partial satisfaction of suspension or revocation shall agree to attend each session of the assigned driver improvement program and to comply with all rules governing attendance, conduct, instruction, and examinations. A person who fails to comply with the foregoing requirements or who otherwise fails to successfully complete the assigned driver improvement program shall be subject to a driver license suspension for the period contained in the notice of proposed suspension. A person who successfully completes the assigned driver improvement program shall be officially warned with respect to future driving.

system. The openings shall be suitable for attaching 3/4-inch pipe thread/hose connectors. The engine shall be capable of supplying water at a temperature in accordance with the engine manufacturer's specifications. The heating system on Type A school buses and Type B school buses constructed on a cutaway chassis may be in accordance with the chassis manufacturer's specifications.

13:20-50A.15 Horn

School buses shall be equipped with dual horns of a standard make. Type A school buses and Type B school buses constructed on a cutaway chassis may be equipped with the chassis manufacturer's standard horn system. Each horn shall be capable of emitting a sound audible under normal conditions at a distance of 200 feet.

13:20-50A.16 Instruments and instrument panel

(a) The chassis shall be equipped with the following instruments and gauges:

1. Speedometer;
2. Odometer;
3. Ammeter with graduated charge and discharge indications or alternator light. An ammeter and its wiring shall be compatible with the generating capacities of the system. A voltmeter may be provided in lieu of an ammeter;
4. Oil pressure gauge;
5. Water temperature gauge;
6. Fuel gauge;
7. Upper beam headlight indicator light;
8. Air brake indicator gauge equipped with a warning buzzer or light indicating when air pressure is depleted below one-half of its capacity. A telltale warning light indicator shall be permitted in lieu of a gauge on school buses equipped with a hydraulic-over-hydraulic brake system;
9. Turn signal indicator lights;
10. Glow plug indicator light, where appropriate; and
11. Stoplight indicator light.

(b) Lights shall not be permitted in lieu of gauges except as otherwise provided in (a) above.

(c) All instruments shall be easily accessible for maintenance and repair.

(d) Instruments and gauges shall be mounted on an instrument panel in such a manner that each is clearly visible to the driver while he or she is seated in the driver's seat with the seat belt engaged.

(e) The instrument panel shall have lamps of sufficient candlepower to illuminate all instruments, gauges, and the gearshift selector indicator for an automatic transmission.

(f) Instruments and gauges shall be appropriately identified.

13:20-50A.17 Oil filter

An oil filter with a replaceable element shall be provided and shall be connected by flexible oil lines if the oil filter is not of a built-in or engine-mounted design. The oil filter shall have a capacity of at least one quart.

13:20-50A.18 Openings

All openings in the floorboard or fire wall between the chassis and the passenger compartment including, but not limited to, the gearshift selector/lever and the parking brake control shall be sealed. Hoses, electrical lines, cables, and other equipment that pass through the fire wall shall be sealed with a rubber grommet and/or suitable compound designed for such use to prevent chafing and to prevent fumes from entering the passenger compartment of the school bus.

13:20-50A.19 Passenger load

(a) The GVW is the sum of the chassis weight, plus the body weight, plus the driver's weight, plus the seated passengers' weight.

(b) For purposes of this section:

1. The driver's weight is 150 pounds; and
2. The passengers' weight is 120 pounds per student.

(c) The GVW shall not exceed the chassis manufacturer's GVWR for the chassis.

(d) School buses having a GVWR of 26,001 or more pounds shall display the GVWR on each side of the school bus in black letters and numbers at least three inches but not more than six inches in height.

13:20-50A.20 Power and gradeability

The GVWR shall not exceed 185 pounds per published net horsepower of the engine at the manufacturer's recommended maximum number of revolutions per minute.

13:20-50A.21 Retarder system

A retarder system may be used that shall maintain the speed of the fully-loaded school bus at 19 miles per hour on a seven percent grade for 3.6 miles.

13:20-50A.22 Shock absorbers

School buses shall be equipped with double-action shock absorbers compatible with the manufacturer's rated axle capacity at each wheel location.

13:20-50A.23 Springs and shackles

(a) The capacity of the springs or suspension assemblies shall be commensurate with the chassis manufacturer's GVWR.

(b) If leaf-type rear springs are used, they shall be of a progressive-type.

(c) Springs shall be aligned by a centering pin.

(d) U-bolts shall be secured by nuts.

13:20-50A.24 Steering gear

(a) The steering gear shall conform to the chassis manufacturer's standard and shall be designed to ensure proper performance when the school bus is operated with maximum load and at maximum speed.

(b) The steering mechanism shall be accessible for external adjustment.

(c) No changes shall be made to the steering apparatus that are not approved by the chassis manufacturer.

(d) There shall be a clearance of at least two inches between the steering wheel and the cowl, instrument panel, windshield, or any other surface.

(e) Power steering is required and shall be of the integral-type with integral valves.

(f) The steering system shall be designed to provide a means of lubrication for all wear points, if wear points are not permanently lubricated.

13:20-50A.25 Tires and rims

(a) Tires and rims of proper size and tires with a load-rating commensurate with the chassis manufacturer's GVWR shall be provided.

(b) Tubeless tires mounted on one-piece drop center rims may be used.

(c) All tires shall be of the same size, type, construction, and load-rating. The load-rating shall meet or exceed the GVWR, as required by FMVSS No. 120 (49 CFR § 571.120), incorporated herein by reference, as amended and supplemented. Tires on Type B, C, and D school buses may be of more than one type of construction provided all tires on the same axle are the same type of construction.

(d) A school bus may be equipped with a spare tire and rim assembly of the same size as those mounted on the school bus. A spare tire shall not be stored inside the passenger compartment of the school bus.

(e) A school bus may be equipped with a spare tire carrier properly mounted under the floor in an area accessible to the driver.

(f) The tire tread depth shall at no time be less than 4/32 of an inch on the front tires and 2/32 of an inch on the rear tires as measured on two adjacent treads by a Dill gauge or its equivalent.

(g) Regrooved or recapped tires shall not be used on the front axle of a school bus.

(h) Dual rear tires shall be provided on Type B, C, and D school buses.

(i) Tire chains, snow tires, all-weather tires, or tires marked with "M & S" shall be used for the drive wheels to enhance the safe operation of the school bus during adverse weather conditions. The "M & S" marking is not necessary if a rear tire has a retread that is a snow/mud-type tread and meets the minimum tire tread depth standards of (f) above.

(j) Spacers shall be as specified by the manufacturer and shall not be altered.

Amended by R.2012 d.023, effective February 6, 2012.

See: 43 N.J.R. 1831(a), 44 N.J.R. 287(b).

In (f), substituted "2/32" for "n2 /32".

Petition for Rulemaking

See: 46 N.J.R. 652(a).

13:20-50A.26 Transmission

(a) When an automatic transmission is used, it shall provide at least three forward speeds and one reverse speed.

(b) When a manual transmission is used, second gear and higher shall be synchronized except when incompatible with engine power. A minimum of three forward speeds and one reverse speed shall be provided.

(c) A diagram of the shifting control pattern shall be located in a position easily visible to the driver.

(d) The automatic transmission shift lever shall be equipped with a detent mechanism to ensure that the transmission cannot accidentally move from "neutral" to a drive gear without driver effort.

(e) School buses that are not equipped with a "park" position on the shift control selector for automatic transmissions shall be equipped with a heavy-duty parking brake.

(f) The transmission shift control lever/mechanism shall be mounted to the right of the steering column.

(g) The shift indicator shall align with the corresponding gear.

13:20-50A.27 Turning radius

(a) A chassis with a wheelbase of 264 inches or less shall have a right and left turning radius of not more than 42½ feet, curb-to-curb measurement.

(b) A chassis with a wheelbase of more than 264 inches shall have a right and left turning radius of not more than 44½ feet, curb-to-curb measurement.