

“Motor vehicle” includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles.

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

(b) The Director 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 Director reserves the right to require such additional proof as may be needed to make his determination.

13:20-10.3 Placement

(a) Each owner or operator of a motor vehicle registered in this State who participates in a testing 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 Director 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 Director 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.

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 N.J.S.A. 39 where 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.

13:20-12.2 Reexamination; categories

(a) The Director 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".

Case Notes

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 Director 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 Division 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).

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 Division of Motor Vehicles unless said vehicle is properly registered with the Division of Motor Vehicles and a parking permit is issued for same.

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, as 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 moulded for that purpose by the tire or tread manufacturer.

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.