

P.L. 2009, c. 89 (N.J.S.A. 48:2-29.47) are subject to the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq.

## TRANSPORTATION

### (a)

#### MOTOR VEHICLE COMMISSION

##### Enhanced Motor Vehicle Inspection and Maintenance Program

**Proposed Amendments: N.J.A.C. 13:20-1.8, 7.3, 7.4, 7.5, 7.6, 30.2, 32.2, 32.3, 32.4, 32.20, 32.21, 33.2, 33.4, 33.8, 33.45, 33.51, 43.10, 43.12, 43.17, 44.10, and 50B.28**

**Proposed New Rules: N.J.A.C. 13:20-32.5 through 32.19, 32.23 through 32.33, 32.35 through 32.51, and 33.52**

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Authority: N.J.S.A. 39:8-1, 39:8-2, 39:8-4, 39:8-41, 39:3-8, 39:3-8.1, 39:3-8.4, 39:3-75.1, 39:3-84, 39:3B-24, and 48:16-22.1.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2021-070.

Submit written comments by October 1, 2021, to:

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Motor Vehicle Commission  
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Or via email to: [MVC.rulecomments@mvc.nj.gov](mailto:MVC.rulecomments@mvc.nj.gov)

The agency proposal follows:

#### Summary

The public comment period for this notice of proposal will be 60 days, since the notice is not listed in an agency rulemaking calendar. This notice of proposal is, therefore, excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

The Motor Vehicle Commission (MVC) has proposed amendments to its regulations pertaining to the Enhanced Motor Vehicle Inspection and Maintenance Program, which is New Jersey's motor vehicle inspection program that was adopted in 1995. The Enhanced Motor Vehicle Inspection and Maintenance Program was implemented to achieve the performance standards for enhanced inspection programs, and implements the Federal Clean Air Act, 42 U.S.C. §§ 7401 through 7671, and the New Jersey Federal Clean Air Mandate Compliance Act, N.J.S.A. 39:8-41 through 58.

The Federal Clean Air Act grants authority to the United States Environmental Protection Agency (EPA) to require certain metropolitan areas having serious or extreme levels of carbon monoxide or ozone to implement a vehicle inspection and maintenance (I/M) program. The MVC and the New Jersey Department of Environmental Protection (DEP) partnered to create the I/M program, in their efforts to ensure compliance with the National Ambient Air Quality Standards, and, thereby, protect the overall health and safety of New Jersey residents by promoting improved air quality.

The MVC's proposed amendments and new rules set forth that initial inspections and reinspections of all motor vehicles registered in New Jersey can be performed at either an official inspection facility or a licensed private inspection facility. The proposed amendments and new rules further delineate the inspection processes and specifications used by both official inspection facilities and licensed private inspection facilities.

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, sets forth the various types and classifications of acceptable sun-screening for vehicle windshields and windows, the designated areas for application of sun-screening and the procedures that shall be used by the installation facilities applying such sun-screening, and the criteria surrounding an application for a medical exemption certificate for those motorists who qualify.

N.J.A.C. 13:20-1.8, Label; attachment; size; content; representation of compliance with subchapter, is proposed for amendment to clarify that a six inch by eight inch area at the bottom of every vehicle's windshield shall remain uncovered by any sun-screening material of any kind, to allow an inspector at an inspection facility the ability to affix an inspection sticker of approval or rejection onto the windshield of such vehicle.

Subchapter 7, Vehicle Inspection, establishes the frequency of an inspection for each class of vehicle and the location at which an inspection can take place, depending upon how the vehicle is registered. This subchapter also prohibits official inspection facilities from performing inspections on certain types of vehicles.

N.J.A.C. 13:20-7.3, Inspection facilities, is proposed for amendment to require official inspection facilities to perform initial inspections and reinspections on all vehicle types, except school buses, buses that are subject to inspection by the MVC bus unit, motor vehicles with elevated chassis height, and other vehicles as designated in this chapter. The section is also proposed for amendment to allow State specialty inspection facilities to inspect the following categories of vehicles: any motor vehicle that the Chief Administrator may require to be presented for inspection (for other purposes in addition to auditing); any motor vehicle that has failed an on-road inspection and is presented for reinspection by the owner or lessee who disputes the inspection failure; and passenger vehicle transportation whose owner or lessee opts for inspection at a specialty inspection facility.

N.J.A.C. 13:20-7.4, Temporary authorization certificates; period of validity, is proposed for amendment to allow official inspection facilities and licensed private inspection facilities to inspect used motor vehicles that have been purchased in this State or in any other state and have received a temporary authorization. Subsections (i) and (j) are proposed for a technical amendment, to correct cross-references to subsections that no longer exist. This section was inadvertently not amended when those subsections were previously codified.

N.J.A.C. 13:20-7.5, Adjustments, corrections, or repairs, is proposed for amendment to allow official inspection facilities to reinspect motor vehicles that failed to pass an on-road inspection because they needed adjustments, corrections, or repairs.

N.J.A.C. 13:20-7.6, Immediate repairs, is proposed for amendment to allow official inspection facilities to reinspect motor vehicles that require immediate repairs due to a defect that constitutes a hazard to the public safety.

Subchapter 30, Inspection of School Buses, provides for the periodic inspection and maintenance of school buses registered in New Jersey, and sets forth the standards and specifications governing such inspections.

N.J.A.C. 13:20-30.2, Definitions, is proposed for amendment to add a definition for "electric school bus," consistent with the definition at N.J.S.A. 39:3B-28.

Subchapter 32, Inspection Standards and Test Procedures to be Used by Official Inspection Facilities, sets forth the inspection standards and test procedures to be used by official inspection facilities. Although some existing language remains, the majority of N.J.A.C. 13:20-32.5 through 32.19, 32.23 through 32.33, and 32.35 through 13:20-32.51 are proposed new rules that establish the various mechanical inspection standards used by official inspection facilities authorized to inspect commercial vehicles.

At N.J.A.C. 13:20-32.2, General provisions; official inspection facilities, subsections (a) and (b) are proposed for amendment to clarify that an official inspection facility has the authority to perform inspections and reinspections on a variety of vehicles, including, automobiles; trucks; buses that have been issued passenger, governmental, no fee, or commercial vehicle license plates by the MVC; and passenger vehicle transportation. Subsections (c), (d), (e), and (f), are also amended to provide that an official inspection facility has the authority to place an inspection certificate of approval on any motor vehicle, as designated at

subsection (b), that has passed inspection or reinspection, and/or to place an inspection rejection sticker or “48 hour sticker” on the windshield of such vehicle that is either non-conforming or requires immediate repairs due to a defect that constitutes a hazard to public safety. Proposed new subsections (h), (i), (j), and (k) provide official inspection facilities with the authority to perform reinspections and certifications on the variety of motor vehicles specified at subsection (b), when those vehicles had rejected items that have been repaired, provided that there are no obvious safety, emission-related, or on-board diagnostic-related (OBD) defects. Recodified subsection (m) is proposed for amendment to allow official inspection facilities to issue and affix a replacement inspection sticker of approval on a motor vehicle, provided that there are no obvious emission-related or OBD-related defects for passenger vehicles, and no emission-related, OBD-related, or safety-related defects for commercial vehicles. Recodified subsection (n) is proposed for amendment to reflect that a new vehicle, as designated at subsection (b), which has been purchased in a foreign jurisdiction and has received a temporary authorization certificate sticker, is subject to inspection not later than one year from the last day of the calendar month in which the certification sticker was issued.

N.J.A.C. 13:20-32.3, Credentials; official inspection facilities, is amended to identify the required documentation to be presented by a driver of a commercial vehicle at the time of inspection, and to state that a commercial vehicle certification shall be refused if any of the required documentation presented contains errors, is altered, or is missing.

N.J.A.C. 13:20-32.4, License plates; official inspection facilities, is amended to add a new subsection (c) to clearly delineate the requirements for receiving a commercial vehicle or passenger vehicle transportation certification. The requirements include: (i) the physical appearance of the license plates, such as the requirement that the plates be kept visible, unobstructed, and legible at all times of day and night; (ii) the exact manner of placement and positioning of the front and rear license plates on the vehicle, including the exact distance from the ground that the plates are required to be securely attached to the vehicle, depending on the type of commercial vehicle; (iii) the requirement that the letters and numbers appearing on both license plates match those listed on the motor vehicle’s certificate of registration; and (iv) the requirement that license plates not be obstructed.

Proposed new N.J.A.C. 13:20-32.5, Steering and suspension requirements, all motor vehicles; commercial vehicle inspections at official inspection facilities, sets forth the specifications for commercial vehicle steering and suspension systems tests required upon inspection at an official inspection facility. The new section requires the suspension system to comply with the basic components and geometric arrangement of the manufacturer’s specifications and sets additional standards for the suspension system. Additional requirements for suspension and steering include no visible wear or breakage; movement of the steering wheel that allows turns in both directions without binding or jamming and return movement of the front wheels; movement of the front tires that is not to exceed the manufacturer’s specifications; a minimum steering wheel measurement; and proper installation and working order of shock absorbers.

Proposed new N.J.A.C. 13:20-32.6, Front parking lights requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities, addresses the specifications for vehicle front parking lights, which shall be securely mounted on the motor vehicle, shall be white, yellow, or amber in color, and shall comply with the standards set forth by the United States Department of Transportation. In addition, the new rule requires that certification of a motor vehicle shall not be refused due to one or both inoperative parking lights, or a damaged, cracked, or missing parking light lens; instead the motorist shall be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.7, Glazing requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities, lists the specifications for vehicle glazing, including approved types of glazing, the method in which glazing shall be installed and those improper installations, and designated locations for proper glazing placement in the motor vehicle, such as windshields, windows, or doors. Additionally, the new rule designates various instances that will cause commercial motor vehicle certification to be refused. These include when any of the following are present: spray or plastic material that has been added to

previously approved glazing located on the front windshield, windows, vents, wings, or deflectors, or other areas; mirror-type material on windows; a star-type break, bull’s-eye-type break, or stone-type break of a certain diameter that is located in certain areas of the windshield glazing; and the presence of other types of glazing that cause unsafe or undue distortion of visibility for the driver of the motor vehicle.

Proposed new N.J.A.C. 13:20-32.8, Obstruction to driver’s vision, all motor vehicles; commercial vehicle inspection at official inspection facilities, sets forth that a commercial motor vehicle that has an object or accessory affixed to the windshield or windows (other than an inspection certificate of approval, certain vehicle safety technology, and other approved exceptions) shall not be certified, if the object is mounted in such a manner that interferes with the driver’s vision. The proposed new rule is required so that New Jersey’s rules are in compliance with Federal safety regulations found at 49 CFR 393.60. The Federal regulations set standards for window glazing material and require that windshields be in good condition and unobstructed.

Proposed new N.J.A.C. 13:20-32.9, Horn requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities, provides a list of horn types that will result in the refusal of a commercial vehicle certification. The list includes horns that are: inoperable or inaudible; not securely fastened to the vehicle; lack a button or switch or have a broken button or switch; with an activating button beyond the reach of the driver; not readily conspicuous to the driver; require the driver to take his or her eyes off the road to activate; have a broken horn ring; or are equipped with sirens, bells, or whistles instead of a horn. However, vehicles that have horns that emit an unreasonably loud or harsh sound and horns that can only be sounded by a portion of the horn activation device shall not be refused certification, but the motorist will be advised to have the condition corrected.

Proposed new N.J.A.C. 13:20-32.10, Windshield wiper requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities, provides that every vehicle shall have a minimum of one windshield wiper in proper working order. It also sets forth the specifications for the wipers, including the condition in which the wiper blades must be maintained, and the type of wiper, depending upon the design of the windshield, as well as the speed and pressure at which the windshield wipers operate, so as to allow for proper cleaning of the windshield.

Proposed new N.J.A.C. 13:20-32.11, Clearance lights requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that motor vehicle clearance lights shall meet the standards set by the United States Department of Transportation for clearance and proper mounting on the front and rear of the vehicle. The new rule lists the specifications required for the clearance lights, including the type and color of lights to be used, and the exact location of where the lights should be placed on the vehicle, depending upon the overall dimensions of the vehicle. The proposed new rule also sets forth inspection standards applicable to commercial vehicles that are equipped with light-emitting diode (LED) clearance lights.

Proposed new N.J.A.C. 13:20-32.12, Turn signals and hazard warning signals requirements, all motor vehicles; commercial motor vehicle inspection at official inspection facilities, requires that every motor vehicle, with some exceptions, be equipped with two, front and rear, turn signals that must be in proper working order. The proposed new rule also sets forth that turn signal and hazard warning signal lights should meet the standards set by the United States Department of Transportation. The proposed new rule lists specifications for the lights, including the manner in which the lights should be mounted on the vehicle and the frequency and duration that the lights shall flash. The proposed new rule also sets forth inspection standards applicable to commercial vehicle turn signal and hazard warning signal lights, including operational standards for light-emitting diode (LED) lights.

Proposed new N.J.A.C. 13:20-32.13, Reflectors requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities, provides that each vehicle, depending upon the class, designation, and the year in which the vehicle was manufactured, must have one or two red reflector(s) permanently and securely mounted on the rear of each vehicle. The new rule sets forth the specifications for the reflectors, including the class of reflector to be used, depending upon the

designation of the vehicle as registered, requires the reflector be approved by the United States Department of Transportation, and delineates the exact location and positioning of the reflector on the vehicle.

Proposed new N.J.A.C. 13:20-32.14, Identification lights requirements, all vehicles; commercial vehicle inspection at official inspection facilities, provides specifications for motor vehicles that are equipped with identification lights and requires that the lights be permanently and securely mounted on the top of the vehicle. The proposed new rule designates specifications for the location and placement of lights on trucks above a certain width. The proposed new rule also sets forth inspection standards applicable to commercial vehicles that are equipped with light-emitting diode (LED) identification lights.

Proposed new N.J.A.C. 13:20-32.15, Side-marker lights, requirements, all vehicles; commercial vehicle inspection at official inspection facilities, provides that certain classes of motor vehicles shall be equipped with side-marker lights used to indicate vehicle length, which must be securely and permanently mounted and displayed on the left and right sides, near the front and rear of the vehicle. The new rule also clarifies that side-marker lights may be mounted at an optional height on the side of the vehicle. The proposed new rule also sets forth inspection standards applicable to commercial vehicle side-marker lights, including operational standards for light-emitting diode (LED) lights.

Proposed new N.J.A.C. 13:20-32.16, Taillights and license plate light requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires all motor vehicles, with certain exceptions, to be equipped with two rear red taillights, and at least two reflectors, which are to be securely and permanently mounted on the vehicle. The rule also sets forth that commercial vehicle certification will not be denied based on the presence of certain taillight and license plate light defects, including a cracked taillight or a missing license plate light, but the motorist will be advised to correct the defect. The proposed new rule also identifies inspection standards applicable to commercial vehicles that are equipped with light-emitting diode (LED) taillights.

Proposed new N.J.A.C. 13:20-32.17, Stoplights, requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires every motor vehicle, other than a motorcycle, to be equipped with two rear stoplights, and lists other types of vehicles that shall be equipped with a high-mounted rear stoplight. The proposed new rule sets forth requirements for vehicle taillights, including color and distance from the rear of the vehicle from which the light shall be visible. The new rule further clarifies that commercial vehicle certification will not be refused for certain stoplight defects, including: a cracked stoplight lens (provided that no white light shows to the rear of the vehicle and no part of the lens is missing), and a stop light that is not operating on a vehicle that is equipped with two or more stoplights on each side (provided at least one stoplight on each side of the vehicle is operating); however, in these instances, the motorist will be advised to fix the defect. The proposed new rule identifies specific inspection standards applicable to commercial vehicles that are equipped with light-emitting diode (LED) stoplights.

Proposed new N.J.A.C. 13:20-32.18, Wheels requirements, all vehicles; commercial vehicle inspection at official inspection facilities, sets forth the requirement that wheels shall be securely mounted on the vehicle and turn freely, and be free from any visible cracks, holes, or other defect that adversely affect the safe operation of the vehicle.

Proposed new N.J.A.C. 13:20-32.19, Tires requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires the tread on each vehicle tire to be a minimum of 2/32 of an inch deep and establishes methods for inspecting whether a commercial vehicle tire tread is worn or defective. The new rule further clarifies other specifications for certain types of tires, including tire tread minimum depth requirements for commercial vehicle tires; tires on motor vehicles registered for use on a public highway; and studded tires. The new rule further clarifies that commercial vehicle certification will not be refused because of the improper use of studded tires; however, the motorist will be advised to correct the condition.

The section heading at N.J.A.C. 13:20-32.20, Vehicle inspection: exhaust system; official inspection facilities, is proposed for amendment to clarify that the exhaust system requirements apply to all vehicles and the official inspection facilities are authorized to perform exhaust system inspections on all vehicles. Proposed new subsection (a) requires that

vehicle certification be denied when such vehicle is presented for inspection with certain exhaust system defects including: a missing muffler, an exhaust gas leakage, a muffler bypass or similar modification to the exhaust system causing excessive noise, parts that are not properly mounted or exposed, or for the passage of any part through the passenger section of the vehicle. Proposed new subsection (b) clarifies that vehicle certification should not be denied if the muffler has drain holes in it that were placed at the time it was manufactured. The existing section text, proposed to be codified as subsection (c), sets forth that if there is any evidence of emission control apparatus tampering, then the passenger vehicle certification shall be denied, and is proposed for amendment to apply to all vehicles.

The section heading at N.J.A.C. 13:20-32.21, Vehicle inspection: visible smoke and on-board diagnostics test(s); official inspection facilities, is proposed for amendment to clarify that visible smoke and on-board diagnostics test(s) requirements apply to all vehicles and the official inspection facilities are authorized to perform visible smoke and on-board diagnostics test(s)-related inspections on all vehicles. Subsection (a) is proposed for amendment to provide that official inspection facilities are authorized to conduct emission or OBD-related tests on each gasoline-fueled or bi-fueled motor vehicle in accordance with inspection standards. Subsection (b) is proposed for amendment to clarify that official inspection facilities are authorized to conduct a visible smoke test and an OBD test on each OBD-equipped and OBD-eligible diesel-fueled motor vehicle (not just passenger vehicles), model year 1997 or newer, having a GVWR of 8,500 pounds or less, in accordance with specified inspection standards. Proposed new subsection (c) states that any motor vehicle presented for inspection that evidences emission control apparatus tampering shall be denied vehicle certification.

Proposed new N.J.A.C. 13:20-32.23, Headlights requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires every motor vehicle, except for motorcycles, to be equipped with at least two headlights that emit only white light and shall be properly installed and operational. The section also establishes specific testing procedures and standards for motor vehicles that have retractable headlights and vehicles that are used as snow plows. The new rule also establishes that commercial vehicles that have certain defects, such as missing a headlight lens, will not be certified; however, the rule further clarifies that the presence of other defects, including a cracked or broken headlight lens, will not prevent vehicle certification, as long as the headlight is operational and emits a white light.

Proposed new N.J.A.C. 13:20-32.24, Rear view mirrors requirements, all vehicles; commercial vehicle inspection at official inspection facilities, states that a passenger vehicle, manufactured after a certain date, must be equipped with an interior mirror and an exterior mirror; however, the section provides that a commercial vehicle, manufactured after such date, must be equipped with an interior mirror and an exterior mirror on the driver's side. The proposed new rule further states that a commercial vehicle that is not equipped with at least one rear view mirror will be denied certification. The proposed new rule further identifies the standards for mirrors that are required on certain types of commercial vehicles with obstructed views and lists specific mirror defects that, if present, require correction, but will not prevent commercial vehicle certification.

Proposed new N.J.A.C. 13:20-32.25, Miscellaneous lights requirements, all vehicles; commercial motor vehicle inspection at official inspection facilities, establishes that each motor vehicle may be equipped with up to two auxiliary driving lights that shall be properly mounted and installed on the front of the vehicle and further identifies and describes the allowable types of driving lights, which include: fog lights, passing lights, supplemental driving lights, and spot lights. The proposed new rule further designates standards and specifications that are required for each type of light, including purpose and proper usage, permitted color, and frequency of the light beam that is emitted by each light, and a description of the proper wiring that is required for the operation of each light. The proposed new rule also clarifies that motor vehicles are generally prohibited from the use of flashing lights or blue emergency lights, with exception to authorized emergency vehicles, including volunteer firefighters, first aid responders, and Civil Air Patrol members, provided

that the operator of the motor vehicle has a valid permit to operate such vehicle.

Proposed new N.J.A.C. 13:20-32.26, Wiring and switching requirements, all vehicles; commercial vehicle inspection at official inspection facilities, identifies certain wiring and switching defects that, if present at the time of inspection, will prevent a commercial vehicle from being certified, unless replacement switches are present and the safe operation of the vehicle is not adversely affected.

Proposed new N.J.A.C. 13:20-32.27, Headlight beam indicator light, all vehicles; commercial vehicle inspection at official inspection facilities, sets forth that a commercial motor vehicle with an inoperative headlight beam indicator light will not be refused vehicle certification, but the driver will be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.28, Turn signal and hazard warning signal indicator lights, all vehicles; commercial vehicle inspection at official inspection facilities, designates the proper operating standard for motor vehicles equipped with a single turn signal indicator or with right and left turn signal indicators; and further identifies light specifications for a separate indicator light that is used for the hazard warning signal system. The proposed new rule clarifies that commercial vehicle certification will not be refused because of an inoperative turn signal indicator light and/or an inoperative hazard warning signal indicator light; however, the motorist will be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.29, Antenna requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that an antenna be securely attached to a motor vehicle, and further clarifies that a commercial vehicle with an unsecured antenna will not be denied certification, but the motorist must be advised to have the condition corrected.

Proposed new N.J.A.C. 13:20-32.30, Body, requirements, all vehicles; commercial vehicle inspection at official inspection facilities, states that the motor vehicle body must have all body panels, a floor pan, and other sections, and clarifies that a commercial vehicle will not be refused certification for excessive rust or sharp edges, provided that the sharp edges do not pose a risk of injury; in this instance, the motorist must be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.31, Bumpers requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that all vehicle bumpers, if present, must be securely mounted on the motor vehicle and comply with the height requirements set forth by the motor vehicle manufacturer. The proposed new rule further states that, although a commercial vehicle is required to have a bumper, commercial vehicle certification will not be denied for a bumper with excessive rust or sharp edges, provided that the sharp edges do not pose a risk of injury. In this instance, the motorist must be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.32, Doors requirements, all vehicles; commercial vehicle inspection at official inspection facilities, establishes that motor vehicle doors and door devices must be in proper operating condition, and further designates, seat belt requirements and various restraining device requirements for commercial motor vehicles that were manufactured without doors.

Proposed new N.J.A.C. 13:20-32.33, Fenders and fender flaps requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires all vehicle fenders to be securely mounted on the vehicle and free of any rips or sharp edges that could cause injury to persons. The proposed new rule further identifies required specifications for the installation and placement of fenders on a motor vehicle.

Proposed new N.J.A.C. 13:20-32.35, Hood requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that all vehicles be equipped with an engine hood that must be properly secured, latched, and in proper operating condition.

Proposed new N.J.A.C. 13:20-32.36, Inspection of vehicles used for commercial purposes: lettering requirements; official inspection facilities, requires that vehicles used for commercial purposes on a street or highway, with some exceptions, must display a sign or lettering on the exterior of the vehicle with certain identifying information, including the name of the owner or lessee of the vehicle and the name of the municipality in which the owner or lessee has his or her principal place of business. The proposed new rule also lists specifications for lettering and

signs displayed on the vehicle and clarifies that a non-commercial truck registered as a passenger vehicle shall not have lettering displayed on the vehicle, except for trademarks and manufacturer or dealer labels.

Proposed new N.J.A.C. 13:20-32.37, Ornaments, all vehicles; commercial vehicle inspection at official inspection facilities, requires that all motor vehicle ornaments be free from any sharp parts or edges that may cause injury to persons.

Proposed new N.J.A.C. 13:20-32.38, Pedals requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that all vehicle pedals must be in proper operating condition and have a rubber pad or non-skid surface.

Proposed new N.J.A.C. 13:20-32.39, Racks or carriers requirements, all vehicles; commercial vehicle inspection at official inspection facilities, establishes that a vehicle may be equipped with racks or carriers, designates certain dimensional requirements for the racks, and requires that they do not create a dangerous condition that may cause injuries to persons.

Proposed new N.J.A.C. 13:20-32.40, Reflective tape requirements, all vehicles; commercial vehicle inspection at official inspection facilities, permits amber to white reflective tape to be used on the front of a vehicle, and red or amber to white reflective tape to be displayed on the rear of the vehicle.

Proposed new N.J.A.C. 13:20-32.41, Seats requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that all seats in a motor vehicle must be securely mounted and free of hazardous conditions. The new section further specifies that the driver's seat must lock securely into place, permitting the safe operation of the vehicle.

Proposed new N.J.A.C. 13:20-32.42, Seat belts requirements, all vehicles; air bags requirements, all vehicles; commercial vehicle inspection at official inspection facilities, ensures continued compliance with Federal law requiring all motor vehicles to be equipped with seat belts and air bags, and further stating the requirement to meet certain standards in the Federal Motor Vehicle Safety Standards, Nos. 208 and 209, which are incorporated into the rule by reference, and are available for review at the Office of the Chief Administrator of the New Jersey Motor Vehicle Commission. The new rule states that failure to replace a deployed air bag with a working air bag will result in refusal of commercial vehicle certification, and further provides specifications for buckles, anchorage units, and other types of restraining devices.

Proposed new N.J.A.C. 13:20-32.43, Gear shift indicator requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires that a motor vehicle that has an automatic transmission must be equipped with a properly operating gear shifter; however, the rule clarifies that commercial vehicle certification will not be denied because of a minor misalignment of a gear shift indicator. Instead, the motorist should be advised to have the defect corrected.

Proposed new N.J.A.C. 13:20-32.44, Transmission requirements, all vehicles; commercial vehicle inspection at official inspection facilities, sets forth that the transmission of a motor vehicle must be in proper working order and capable of operating in reverse.

Proposed new N.J.A.C. 13:20-32.45, Television, videocassette recorder, or digital video disk player requirements, all vehicles; video camera requirements, all vehicles; global positioning system requirements, all vehicles; vehicle safety devices requirements, all vehicles; commercial vehicle inspection at official inspection facilities, provides that a motor vehicle may be equipped with certain technology devices, provided that the device does not obstruct the driver's vision and/or is not visible to the driver while he or she is operating the vehicle (with the exception of a global positioning system (GPS)). The proposed new rule is required to establish that New Jersey's rules are in compliance with Federal safety regulations found at 49 CFR 393.60. The Federal regulations set forth standards for devices that are mounted on the interior of a windshield and thereby require that windshields shall be unobstructed.

Proposed new N.J.A.C. 13:20-32.46, Trunk lid requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires a motor vehicle trunk lid to be capable of being securely fastened in compliance with the vehicle manufacturer's specifications.

Proposed new N.J.A.C. 13:20-32.47, Service brakes (including service brake equalization and service brake pedal reserve) requirements, all vehicles; commercial vehicle inspection at official inspection facilities, provides standards and specifications for inspection testing procedures performed on commercial vehicle service brake pedal reserve. The procedures include brake pedal depression, a brake performance test, and an examination of the vacuum brake hoses. The rule also establishes specifications and testing procedures for the inspection of commercial vehicle air brake components, including the low-pressure warning system and automatic spring brakes. The procedures also test the rate of air pressure increase, air leakage rate, and the governor cut-in and cut-out pressure.

Proposed new N.J.A.C. 13:20-32.48, Parking brake requirements, all vehicles; commercial vehicle inspection at official inspection facilities, requires the parking brake to be able to hold the motor vehicle stationary on any up or down grade, establishes the required components with which the parking brake must be equipped, and sets forth the minimum rate for the total average travel remaining on the brake mechanism, when the parking brake is applied.

Proposed new N.J.A.C. 13:20-32.49, Speed recording instrument (speedometer), all vehicles; mileage recording instrument (odometer), all vehicles; commercial vehicle inspection at official inspection facilities, requires every motor vehicle to have an operational speed recording instrument (speedometer) and mileage recording instrument (odometer). The proposed new rule clarifies that commercial vehicle certification will be refused if the instruments for such vehicle do not operate properly.

Proposed new N.J.A.C. 13:20-32.50, Emergency Exits for Buses, requires an emergency exit door on all buses. The proposed new rule aligns New Jersey's regulations with Federal safety regulations set forth at 49 CFR 393.62, which sets forth emergency exit standards for buses.

Proposed new N.J.A.C. 13:20-32.51 Limousine Inspections; sets forth that all vehicles registered as limousines shall have certain equipment when presented for certification, including a two-way communications system that must provide for communication to a person outside the vehicle; a removable first-aid kit and fire extinguisher; and side boards attached to the permanent body of the vehicle. Additionally, the new rule prescribes certain specifications as to where each of these items shall be located, either inside or outside of the vehicle.

Subchapter 33, Inspection Standards And Test Procedures To Be Used By Licensed Private Inspection Facilities, sets forth the inspection standards and test procedures to be used by licensed private inspection facilities when performing vehicle inspections.

At N.J.A.C. 13:20-33.2, General provisions; Class I, II, and III licensees, subsection (d) is proposed for amendment to clarify that vehicle reinspection fees charged by private inspection facilities shall not exceed the schedule of inspection charges displayed by the facility. The amendments also make clear that a private inspection facility shall not charge an excessive fee for either initial vehicle inspection or reinspection, defining an excessive fee as an amount greater than 50 percent of the average vehicle inspection fee or reinspection fee charged by such facility within the preceding six months.

N.J.A.C. 13:20-33.4, License plates; private inspection facilities, sets forth specifications for license plates on passenger vehicle transportation required for certification, including the physical appearance of the license plates, such as the requirement that the plates be kept visible and unobstructed; the exact manner of placement and positioning of license plates on the vehicle; and the requirement that the letters and numbers appearing on both plates shall match those listed on the motor vehicle's certificate of registration. The amendment makes clear that vehicles registered as passenger vehicle transportation will not be certified if they do not meet these license plate requirements.

At N.J.A.C. 13:20-33.8, Commercial vehicle inspection; obstruction to driver's vision, proposed new subsection (e) is added to provide that the installation of vehicle safety technology will not cause a commercial vehicle to be refused certification. The amendment is required so that New Jersey's rules are in compliance with Federal safety regulations found at 49 CFR 393.60.

At N.J.A.C. 13:20-33.45, Commercial vehicle inspection: television, videocassette recorder, or digital video disk player; video camera; global positioning system; vehicle safety technology devices; official inspection

facilities; the section heading is proposed for amendment to include "vehicle safety technology devices" and new subsection (d) is added to reflect that a motor vehicle may be equipped with safety technology devices that are not visible to the driver while operating the vehicle and do not obstruct the vision of the driver. The amendment is required to establish that New Jersey's rules are in compliance with Federal safety regulations found at 49 CFR 393.60.

N.J.A.C. 13:20-33.51, Emergency Exits for Buses; is proposed for amendment to add New Jersey Administrative Code and statutory cross references to ensure New Jersey's compliance with Federal safety regulations referenced at 49 CFR 393.62, which sets forth standards for emergency exits on buses.

Proposed new N.J.A.C. 13:20-33.52, Limousine inspections; sets forth that all vehicles registered as limousines shall meet certain requirements when presented for certification, including a two-way communications system, which must provide for communication to a person outside the vehicle; a removable first-aid kit and fire extinguisher; and side boards attached to the permanent body of the vehicle. Additionally, the new rule prescribes certain specifications as to the exact location where each of these items shall be located, either inside or outside of the vehicle.

Subchapter 43, Enhanced Motor Vehicle Inspection and Maintenance Program, implements the Federal Clean Air Act, Chapter 85 Air Pollution Prevention and Control, 42 U.S.C. §§ 7401 et seq., and the New Jersey Federal Clean Air Mandate Compliance Act, N.J.S.A. 39:8-41 et seq., by establishing an enhanced motor vehicle inspection and maintenance program for New Jersey that achieves the performance standard for enhanced programs established by the Federal Environmental Protection Agency.

N.J.A.C. 13:20-43.10, Reinspections, is proposed for amendment. New language at subsection (a) would clarify that persons possessing certification for emission-related diagnosis and repairs may perform repairs on a motor vehicle that failed inspection for OBD-related or emission-related non-compliance. Proposed new subsections (b), (c), and (d) designate standards and procedures to be used by an Emission Repair Facility (ERF) and those persons authorized to perform OBD-related and emission-related repairs on motor vehicles that fail inspection and for the reinspection of such vehicle thereafter, including the requirement for conducting a search of the electronic inspection database to confirm the entry of repair information prior to reinspection of the vehicle.

Newly codified subsection (e) is proposed for amendment to clarify that any motor vehicle having failed an on-road inspection for non-compliance with mechanical inspection standards is subject to reinspection. The proposed amendment also eliminates the fuel cap leak testing requirement for all vehicles.

N.J.A.C. 13:20-43.12, Inspection extensions, is proposed for amendment to establish that the owner or lessee of a motor vehicle requesting extra time to make repairs to a vehicle that has failed inspection, shall receive no more than one extension of time per each inspection cycle established for the vehicle, which extension shall not be valid beyond the expiration of such inspection cycle. The end of an inspection cycle is determined by the date on a vehicle's inspection sticker.

N.J.A.C. 13:20-43.17, Emission inspector training and licensing; training administration; testing; application process; license fee; renewal of license; refresher training and testing; conflicts of interest, is proposed for amendment to reflect that an applicant who wishes to obtain licensing to become an emission inspector must acquire an understanding of the New Jersey inspection program, including the requirements for OBD, diesel safety inspections, and emission repairs. The proposed amendment also designates a two-week waiting period for applicants who wish to re-take the inspector licensing test after a failed attempt.

Subchapter 44, Private Inspection Facility Licensing, provides for the licensing and regulation of private inspection facilities.

N.J.A.C. 13:20-44.10, Inspection certificates of approval, is proposed for amendment to remove references to motorcycle inspection certificates of approval since motorcycles are exempt from inspection.

Subchapter 50B, Body Standards For School Buses, designates specific criteria and dimensional limitations for the construction, design, equipment, and standards for the inspection of school buses.

N.J.A.C. 13:20-50B.28, Overall width, is proposed for amendment to limit the maximum overall width of a solely electric powered school bus to 102 inches (excluding accessories), as compared to a non-solely electric powered school bus, which is limited to a maximum overall width of 96 inches. The proposed amendment is required to ensure compliance with the statutory requirements referenced at N.J.S.A. 39:3B-28, which took effect on January 21, 2020, and set forth dimensional limitations for electric school buses.

#### **Social Impact**

The proposed amendments and new rules will have a positive impact on passengers riding buses by making buses safer, as emergency exit doors will be in compliance with Federal safety standards. The proposed rules also require that vehicles have seat belts and air bags that comply with specifications set forth by Federal safety standards, resulting in safer riding conditions for all motorists. Additionally, the rules provide that motor vehicles may be equipped with certain "vehicle safety technology" devices pursuant to Federal Motor Carrier Safety Regulations; these devices provide convenience while assisting the driver and promoting overall safer driving conditions for all State residents.

Additionally, the proposed rulemaking will impact all commercial vehicle owners who choose to utilize the central inspection facilities; State residents will benefit from having greater accessibility to State-contracted, official inspection facilities. This improved access to inspection facilities will make it easier and more cost effective to obtain vehicle inspection and certification throughout the State. The quality of life for State residents will be enhanced by an overall reduction in air pollution, resulting in improved highway safety for all.

#### **Economic Impact**

The proposed rulemaking will have a direct economic impact on the State, private inspection facilities, and drivers of certain commercial vehicles. Pursuant to the proposed rules, official inspection facilities have the authority to perform initial inspections and reinspections on a variety of vehicles, including automobiles, passenger vehicle transportation, trucks, and buses that have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission.

Accordingly, drivers of commercial vehicles may choose to present their vehicle for an initial inspection or reinspection at a central inspection facility, at no extra cost. This will positively impact all drivers of commercial vehicles and any New Jersey resident whose vehicle requires a reinspection, and as a result, this will serve as a cost-savings benefit to all motorists. Furthermore, this will positively impact all residents of the State, including those residents of low-income communities, who will benefit financially.

The cost for a vehicle inspection at a central inspection facility is included in the price of a vehicle registration that each vehicle owner pays. However, the price for an initial vehicle inspection at a private inspection facility is approximately \$70.00, but is not included in the price of a State-issued vehicle registration. As a result, motorists who elect to take their vehicle to a central inspection facility, instead of a private inspection facility, can do so at no additional cost.

#### **Jobs Impact**

Pursuant to the proposed amendments and new rules, the total number of initial mechanical inspections, emission inspections, and reinspections performed Statewide will not change.

The proposed amendments further authorize central inspection facilities to perform initial mechanical inspections on commercial vehicles in compliance with certain Federal safety specifications, including the new requirements for limousines and technology devices that are placed in vehicles. The growing rise in vehicle technology devices will continue to foster and promote the State's economy and job growth by creating a greater need for vehicle inspectors with specialized training, which may result in increased job opportunities throughout the State.

#### **Federal Standards Statement**

New Jersey law, N.J.S.A. 52:14B-23, requires that when a State agency adopts, readopts, or amends rules that are subject to applicable Federal standards, then an analysis identifying whether the Federal law is consistent with, or exceeds, the Federal standards set forth in the proposed rulemaking, is required. Federal law, 49 U.S.C. § 30111(a), provides that

the United States Secretary of Transportation shall prescribe motor vehicle safety standards. The Secretary of Transportation has established safety standards for motor vehicles and motor vehicle equipment at 49 CFR Part 571.101. The proposed amendments and new rules are consistent with the applicable Federal safety standards.

The proposed amendments and new rules require that motor vehicle equipment shall meet certain safety standards and be inspected in accordance with Federal and State inspection standards. Specifically, the proposed new rules provide that all motor vehicles that are required by law to be equipped with seat belts and air bags shall comply with the State and Federal Motor Vehicle Safety Standards set forth at 49 CFR Part 571 and meet the specifications of the United States Department of Transportation. The proposed rulemaking does not exceed the applicable Federal standards.

Furthermore, the proposed amendments and new rules require that emergency exits on buses shall be inspected to ensure compliance with State and Federal standards prescribed at 49 CFR 393.62. The proposed safety rules do not exceed the requirements of the applicable Federal standards.

The proposed amendments and new rules regarding inspection standards and test procedures to be used by official inspection facilities and licensed private inspection facilities, incorporate the Federal Motor Carrier Safety Regulations and provide that a motor vehicle may be equipped with vehicle safety technology devices. Federal law, 49 CFR 393.5, defines various types of "vehicle safety technology" devices, and 49 CFR 393.60(e)(ii)(A) and (B), sets forth that the devices must be mounted in accordance with the Federal Safety Regulations. The proposed rules do not exceed the requirements of the applicable Federal Motor Carrier Safety Regulations.

#### **Agriculture Industry Impact**

The proposed amendments and new rules will have no impact on the agriculture industry in New Jersey as the changes impact certain aspects of vehicle inspections, but they will not have an impact on any type of farm equipment or machinery.

#### **Regulatory Flexibility Analysis**

The proposed amendments and new rules have been reviewed with regard to the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed rules do not impose reporting, recordkeeping, or other compliance requirements on private inspection facilities licensed by the Motor Vehicle Commission, which are considered "small businesses," as prescribed by N.J.S.A. 52:14B-17.

Existing reporting and recordkeeping requirements imposed on private inspection facilities with regards to performing initial inspections and reinspections remain unchanged, and the proposed rulemaking does not impose any new requirements on the private inspection facilities.

#### **Housing Affordability Impact Analysis**

The proposed rulemaking will not have any impact on the affordability of housing in New Jersey, and, furthermore, will have no impact on the average costs associated with housing because the proposed new rules and the proposed amendments only affect the inspection of vehicles.

#### **Smart Growth Development Impact Analysis**

The proposed amendments and proposed new rules will have no impact on smart growth and will not result in a change in housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed amendments and new rules only pertain to the inspection of vehicles.

#### **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The proposed amendments and new rules will have no impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State, as the regulations only pertain to the inspection of vehicles. Accordingly, no further analysis is required.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

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

13:20-1.8 Label; attachment; size; content; representation of compliance with subchapter

(a)-(c) (No change.)

(d) **An area located on the lower left-side corner of the vehicle windshield, as viewed from the driver seat of the vehicle, shall be left free of any sun-screening, tint, or covering to aid in the application of the inspection sticker, and shall measure approximately six inches wide (horizontally) by eight inches wide (vertically).**

SUBCHAPTER 7. VEHICLE INSPECTION

13:20-7.3 Inspection facilities

(a) (No change.)

(b) Official inspection facilities shall perform initial inspections and reinspections on [passenger] all vehicles **subject to inspection pursuant to N.J.S.A. 39:8-1, except as otherwise provided in this chapter.** Official inspection facilities shall not perform inspections on [commercial vehicles, passenger vehicle transportation,] school buses, [retired school buses that are subject to inspection in accordance with N.J.A.C. 13:20-30,] buses that are subject to inspection by the Commission's Inspection Services Bus Unit, or motor vehicles with elevated chassis height that are subject to inspection in accordance with N.J.A.C. 13:20-37.

(c) (No change.)

(d) State specialty inspection facilities shall perform inspections on motor vehicles with elevated chassis height that are subject to inspection in accordance with N.J.A.C. 13:20-37, motor vehicles that are operated by disabled persons and that have been modified at the direction of the New Jersey Department of Labor and Workforce Development, Division of Vocational Rehabilitation Services, so that such vehicles are fully controlled by specially designed mechanical devices for the disabled, reconstructed vehicles as defined [in] at N.J.A.C. 13:20-44.2, salvage motor vehicles that are subject to inspection in accordance with N.J.A.C. 13:21-22, passenger vehicle transportation **whose owner or lessee opts for inspection at a specialty inspection facility,** collector vehicles, any motor vehicle that the Chief Administrator may require to be presented for inspection for auditing **or other purposes,** any diesel powered motor vehicle as defined at N.J.A.C. 13:20-46.1 that has failed roadside inspection for tampering, and any motor vehicle that has failed inspection at an official inspection facility [or], a licensed private inspection facility, **or on-road inspection** that is presented for [re-inspection] **reinspection** by the owner or lessee thereof because he or she disputes the inspection failure.

(e) (No change.)

13:20-7.4 Temporary authorization certificates; period of validity

(a)-(d) (No change.)

(e) Whenever a used motor vehicle, which has been purchased in this **State** or any other [State] **state** and which has affixed thereto an unexpired New Jersey inspection certificate of approval or inspection decal, is initially registered by the purchaser in this State and the unexpired inspection certificate of approval or inspection decal indicates that the motor vehicle is due for inspection within the two-month period following the calendar month in which such motor vehicle is initially registered by the purchaser in this State, the registrant thereof shall either:

1. Present such motor vehicle for inspection at [the appropriate] **an official inspection facility** [as specified in N.J.A.C. 13:20-7.3] **or a licensed private inspection facility,** within 14 days of the date of issuance of the temporary authorization certificate. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule; or

2. Present such motor vehicle for inspection at [the appropriate] **an official inspection facility** [as specified in N.J.A.C. 13:20-7.3] **or a licensed private inspection facility,** no later than the expiration date of the New Jersey inspection certificate of approval or inspection decal affixed to the motor vehicle. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule.

(f) Whenever a used motor vehicle, which has been purchased in this **State** or any other [State] **state** and which has affixed thereto an unexpired New Jersey inspection certificate of approval or inspection decal, is initially registered by the purchaser in this State and the unexpired inspection certificate of approval or inspection decal indicates that the motor vehicle is not due for inspection within the two-month period following the calendar month in which such motor vehicle is initially registered by the purchaser in this State, the registrant thereof shall either:

1. Present such motor vehicle for inspection at a licensed private inspection facility within 14 days of the date of issuance of the temporary authorization certificate. A motor vehicle inspected pursuant to this paragraph that is found to be in proper operating condition shall retain the existing inspection certificate of approval or inspection decal issued therefor and shall next be inspected at [the appropriate] **an official inspection facility** [as specified in N.J.A.C. 13:20-7.3] **or a licensed private inspection facility** no later than the expiration date of the New Jersey inspection certificate of approval or inspection decal affixed to the motor vehicle. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule. A motor vehicle inspected pursuant to this paragraph that is found to be defective shall be subject to [re-inspection] **reinspection by an official inspection facility or a licensed private inspection facility** no later than the last day of the calendar month following the calendar month in which the motor vehicle failed inspection, except as otherwise provided at N.J.A.C. 13:20-7.6(a). Following successful completion of [re-inspection] **reinspection at an official inspection facility or a licensed private inspection facility,** the motor vehicle shall be issued an inspection certificate of approval having an expiration date that coincides with that of the unexpired New Jersey inspection certificate of approval or inspection decal that was affixed to the motor vehicle at the time of its purchase and the motor vehicle shall next be inspected at [the appropriate] **an official inspection facility** [as specified in N.J.A.C. 13:20-7.3] **or a licensed private inspection facility** no later than that expiration date. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule; or

2. Present such motor vehicle for inspection at [the appropriate] **an official inspection facility** [as specified in N.J.A.C. 13:20-7.3] **or a licensed private inspection facility** no later than the expiration date of the New Jersey inspection certificate of approval or inspection decal affixed to the motor vehicle. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule.

(g) Whenever a used motor vehicle registered as a passenger vehicle, which has been purchased in this **State** or any other state and which does not have affixed thereto a New Jersey inspection certificate of approval or inspection decal, is initially registered by the purchaser in this State, and the motor vehicle is less than five model years old and will not become five model years old within the two-month period following the calendar month in which such motor vehicle is initially registered by the purchaser in this State, the registrant thereof shall present such motor vehicle at an official inspection facility for the issuance of an inspection decal within 14 days of the date of issuance of the temporary authorization certificate. A motor vehicle receiving a decal pursuant to this paragraph shall be subject to inspection during the calendar year in which the motor vehicle becomes five model years old, no later than the last day of the calendar month within that year that is designated on the decal affixed to such motor vehicle pursuant to this paragraph. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule.

1. Whenever a used motor vehicle that is registered as a commercial vehicle or passenger vehicle transportation, which has been purchased in this **State** or any other state and which does not have affixed thereto a New Jersey inspection certificate of approval or inspection decal, is initially registered by the purchaser in this State, the registrant thereof shall present such motor vehicle for inspection at **an official inspection**

**facility** or a licensed private inspection facility within 14 days of the date of issuance of the temporary authorization certificate. The motor vehicle shall thereafter be inspected on an annual basis, except as otherwise provided by law or rule.

(h) Whenever a used motor vehicle, which has been purchased in this **State** or any other state and which does not have affixed thereto a New Jersey inspection certificate of approval or inspection decal, is initially registered by the purchaser in this State and the motor vehicle is five model years old or older or will become five model years old within the two-month period following the calendar month in which such motor vehicle is initially registered by the purchaser in this State, the registrant thereof shall be issued a temporary authorization certificate. Such motor vehicle shall be presented for inspection at [the appropriate] **an official inspection facility or a licensed private inspection facility** [as specified in N.J.A.C. 13:20-7.3] within 14 days of the date of issuance of the temporary authorization certificate. The motor vehicle shall thereafter be inspected on a biennial basis, except as otherwise provided by law or rule.

(i) Whenever a used motor vehicle, which has been purchased in this State and is less than five model years old and will not become five model years old within the two-month period following the calendar month of initial registration by the purchaser in this State and which has affixed thereto a collector motor vehicle windshield sticker issued pursuant to N.J.A.C. 13:20-[43.2(e)]**43.2A(c)**, is initially registered by the purchaser in this State, the windshield sticker shall be deemed void and the registrant thereof shall be issued a temporary authorization certificate, and in accordance with N.J.A.C. 13:20-43.17 shall either:

1. (No change.)

2. Present such motor vehicle to the Chief Administrator or his or her designee within 14 days of issuance of the temporary authorization certificate and make application for designation as a collector motor vehicle in accordance with N.J.A.C. 13:20-[43.2(c)]**43.2A(a)** through [(h)] **(f)**.

(j) Whenever a used motor vehicle, which has been purchased in this State and is five model years old or older or will become five model years old within the two-month period following the calendar month of initial registration by the purchaser in this State and which has affixed thereto a collector motor vehicle windshield sticker issued pursuant to N.J.A.C. 13:20-[43.2(e)]**43.2A(c)**, is initially registered by the purchaser in this State, the windshield sticker shall be deemed void and the registrant thereof shall be issued a temporary authorization certificate and shall either:

1. (No change.)

2. Present such motor vehicle to the Chief Administrator or his or her designee within 14 days of the date of issuance of the temporary authorization certificate and make application for designation as a collector motor vehicle in accordance with N.J.A.C. 13:20-[43.2(c)]**43.2A(a)** through [(h), inclusive] **(f)**.

13:20-7.5 Adjustments, corrections, or repairs

If a motor vehicle inspection as required [by] **at** N.J.S.A. 39:8-1 discloses the necessity of adjustments, corrections, or repairs, it shall be incumbent upon the owner or lessee of such motor vehicle to have such adjustments, corrections, or repairs made and to present the motor vehicle for [re-inspection] **reinspection** no later than the last day of the calendar month following the calendar month in which the motor vehicle was due for inspection, except as otherwise provided at N.J.A.C. 13:20-7.6(a). However, if an on-road inspection required [by] **at** N.J.S.A. 39:8-2 discloses the necessity of adjustments, corrections, or repairs, it shall be incumbent upon the owner or lessee of such motor vehicle to have such adjustments, corrections, or repairs made and to present the motor vehicle for [re-inspection] **reinspection at an official inspection facility or a licensed private inspection facility** within 30 days of the date of the on-road inspection rejection, except as otherwise provided at N.J.A.C. 13:20-7.6(a).

13:20-7.6 Immediate repairs

(a) When the nature of the defect(s) found at a motor vehicle inspection is such as to constitute a hazard to the public safety, so as to require immediate repairs to such motor vehicle, such repairs shall be made and the motor vehicle **shall be** presented for [re-inspection] **reinspection** at

**an official inspection facility** or a licensed private inspection facility within 48 hours.

(b) (No change.)

SUBCHAPTER 30. INSPECTION OF SCHOOL BUSES

13:20-30.2 Definitions

The following words and terms, when used in this subchapter and [in] **at** N.J.A.C. 13:20-31, shall have the following meanings unless the context clearly indicates otherwise.

“School bus” or “bus” means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for the transportation of children to or from school for secular or religious education, school-connected activity, day camp, summer day camp, nursery school, child-care center, preschool center, or other similar places of education, and shall be classified in the following manner:

1.-3. (No change.)

4. A “Type D” school bus is a body installed upon a chassis, with the engine mounted in the front, middle, or rear, with a GVWR of more than 10,000 pounds, originally designed by the manufacturer for carrying 10 to 54 passengers. The engine may be behind the windshield and beside the driver’s seat; it may be at the rear of the school bus, behind the rear wheels; or it may be in the middle of the school bus between the front and rear axles. The service door is ahead of the front wheels; [and]

5. A “Type S” school bus is a motor vehicle with a GVWR of 3,000 pounds or more, originally designed by the manufacturer with a maximum seating capacity of nine passengers or less excluding the driver[.]; **and**

**6. An “electric” school bus is a school bus charged and powered solely by electricity, pursuant to N.J.S.A. 39:3B-28.**

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

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, and buses that have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; and passenger vehicle[s] transportation for compliance with inspection standards.**

(b) Official inspection facilities shall be authorized to engage in the [initial] inspection, **reinspection and certification of automobiles, trucks, and buses that have been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; and passenger vehicle[s] transportation.** Official inspection facilities shall not inspect [commercial vehicles, passenger vehicle transportation,] school buses[,] or retired school buses that are subject to inspection in accordance with N.J.A.C. 13:20-30, buses that are subject to inspection by the Motor Vehicle Commission’s Inspection Services Bus Unit, or motor vehicles with elevated chassis height that 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 [passenger] **motor** vehicle upon initial inspection **or reinspection** as certification of compliance with inspection requirements. [All motor vehicles requiring a reinspection must be presented at a private inspection facility, licensed by the Motor Vehicle Commission.]

(d) If [a] **an automobile, truck, or bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; or passenger vehicle transportation,** 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 or 7:27-14 and 7:27B-4, whichever are applicable, the motor vehicle shall be certified by an official inspection facility by removing the previously-issued inspection certificate of approval, inspection decal, 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.

(e) If [a] **an automobile, truck, or bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; or passenger vehicle transportation** 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 or 7:27-14 and 7:27B-4, whichever are applicable, an official inspection facility shall present the motor vehicle inspection report [for the passenger vehicle to the operator thereof,] **to the operator of such motor vehicle** 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 previously-issued certificate of approval or inspection decal, if any, affixed to the windshield. If there is no previously-issued certificate of approval or inspection decal 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 motor vehicle that has been presented for inspection in accordance with N.J.A.C. 13:20-7.4(e)1 or (j)1, an official inspection facility shall remove the previously-issued inspection certificate of approval, inspection decal, [and/or] collector motor vehicle windshield sticker, **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 that has failed inspection must be made and the motor vehicle presented for [re-inspection] **reinspection** within the period of time set forth [in] at N.J.A.C. 13:20-7.5.

(f) Notwithstanding (e) above, if [a] **an automobile, truck, or bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; or passenger vehicle transportation** 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 or 7:27-14 and 7:27B-4, whichever are applicable, 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 the passenger] **to the operator of such motor vehicle** [to the operator thereof], shall remove the previously-issued inspection certificate of approval, inspection decal, 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 that 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] at 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] at N.J.A.C. 13:20-7.6(a).

(g) (No change.)

(h) **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 or 7:27-14 and 7:27B-4, whichever are applicable, provided there are no obvious safety, emission-related, or OBD-related defects. If there are obvious safety, emission-related, or OBD-**

**related defects, the motor vehicle shall be subject to a complete reinspection.**

(i) **If a motor vehicle is presented at an official inspection facility for reinspection and the rejected item(s) 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 or 7:27-14 and 7:27B-4, whichever are applicable, 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 inspection decal previously defaced by a licensed private inspection facility in accordance with (l) below as an indication that the motor vehicle has failed inspection.**

(j) **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.**

(k) **Notwithstanding (j) 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 or 7:27-14 and 7:27B-4, whichever are applicable, 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 or 7:27-14 and 7:27B-4, whichever are applicable, 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 must be presented for reinspection within the period of time set forth at N.J.A.C. 13:20-7.5.**

(h) (l) (No change in text.)

(i) (m) **Any motor vehicle for which the current inspection certificate of approval or inspection decal has been lost, stolen, destroyed, or defaced, or any motor vehicle that has had its windshield replaced, may be presented at an official inspection facility for the issuance of a replacement inspection certificate of approval or inspection decal. Such a replacement inspection certificate of approval or inspection 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 emission-related or OBD-related defects for passenger vehicles, trucks, and buses that have been issued passenger, governmental, no fee, or commercial vehicle license plates, or emission-related, OBD-related, or safety-related defects for commercial vehicles.**

(j) (n) **Any new 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(d) shall be presented at an official inspection facility for the issuance of an appropriate inspection decal. A new motor vehicle receiving a decal pursuant to N.J.A.C. 13:20-7.4(d) and this subsection shall be subject to inspection not later than five 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(d) and this subsection shall so indicate; provided, however, that a new motor vehicle**

receiving a decal pursuant to N.J.A.C. 13:20-7.4(d) and this subsection that is registered as a commercial vehicle; [or] a bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission; or passenger vehicle transportation shall be subject to inspection not later than one year 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(d) 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 emission-related or OBD-related defects.

[(k)] (o) (No change in text.)

13:20-32.3 Credentials; official inspection facilities

(a)-(b) (No change.)

(c) The driver of a commercial 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.

(d) Certification of a commercial motor vehicle shall be refused if the driver's license for the class of motor vehicle being operated, New Jersey motor vehicle registration certificate, or insurance identification card presented by the motorist contains errors, is altered, or is missing.

13:20-32.4 License plates requirements, all motor vehicles; commercial vehicle inspections at official inspection facilities

(a)-(b) (No change.)

(c) All vehicles shall meet the following requirements, and certification of a commercial motor vehicle or vehicles registered as passenger vehicle transportation shall be refused if any of the following requirements are not met:

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;

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 that are used to collect, transport, and dispose of garbage, solid waste, 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; or

7. The license plates shall not be bent, illegible, or defaced.

13:20-32.5 [(Reserved)] Steering and suspension requirements, all motor vehicles; commercial vehicle inspections at 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) Starting with the front wheels of the motor vehicle 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 that 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, vehicle frame, or chassis that 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.

13:20-32.6 [(Reserved)] Front parking lights requirements, all motor vehicles; commercial vehicle inspection at 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 commercial vehicle shall not be refused because of 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, broken, or missing lens.

13:20-32.7 [(Reserved)] Glazing requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities

(a) All glazing used on motor vehicles manufactured after July 1, 1935, shall be an approved type of glazing that 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 that can be readily removed without the use of tools.

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

(c) Certification of a commercial vehicle shall be refused if the motor vehicle is equipped with glazing that 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 commercial 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 if it 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. 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 if such spray or material does not extend below the AS-1 marking on the front windshield.

(e) No certification shall be granted to a commercial vehicle with defrosters of the "electric element" type installed on any window if they 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. If glazing material remains in any of the window openings specified in this subsection, the approval markings shall be visible.

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

(i) Certification of a commercial vehicle shall be refused if there is a star-type break, bull's-eye-type break, or stone-type break of more than one inch in diameter in the acute area or the critical area of the windshield glazing as depicted at N.J.A.C. 13:20-32 Appendix B, incorporated herein by reference.

(j) Certification of a commercial vehicle shall be refused if there is a star-type break, bull's-eye-type break, or stone-type break of more than two inches in diameter in the peripheral area of the windshield glazing as depicted at N.J.A.C. 13:20-32 Appendix C, incorporated herein by reference.

(k) Certification of a commercial vehicle shall be refused if there are multiple star-type breaks, bull's-eye-type breaks, and/or stone-type breaks regardless of size in the acute area of the windshield

glazing as depicted at N.J.A.C. 13:20-32 Appendix D, incorporated herein by reference.

(l) Certification of a commercial vehicle shall be refused if there is a scratch that is more than one inch in width in the acute area of the windshield glazing or a crack that is more than six inches in length in the acute area of the windshield glazing, as depicted at N.J.A.C. 13:20-32 Appendix E, incorporated herein by reference.

(m) Certification of a commercial vehicle shall be refused if the windshield glazing has multiple cracks and/or scratches, as depicted at N.J.A.C. 13:20-32 Appendix F, incorporated herein by reference.

(n) Certification of a commercial vehicle shall be refused if there are multiple star-type breaks, bull's-eye-type breaks, and/or stone-type breaks of more than one inch in diameter per break in the critical area and/or the peripheral area of the windshield glazing, as depicted at N.J.A.C. 13:20-32 Appendix G, incorporated herein by reference.

(o) Certification of a commercial vehicle shall be refused if there is a crack or scratch of more than six inches in length that extends from the peripheral area of the windshield glazing through the critical area of the windshield glazing into the acute area of the windshield glazing, as depicted at N.J.A.C. 13:20-32 Appendix H, incorporated herein by reference.

(p) Certification of a commercial vehicle shall be refused if the tempered glass has been etched, except that the vehicle identification number and/or manufacturer's logo may be etched on the tempered glass provided that the area of the tempered glass that has been etched does not exceed two square inches.

(q) Certification of a commercial vehicle shall not be refused if the star-type break, bull's-eye-type break, stone-type break, crack, or scratch is less than the diameter, width, or length specified at (i) through (o) above; however, the motorist shall be advised to have the defect corrected.

13:20-32.8 [(Reserved)] **Obstruction to driver's vision, all motor vehicles; commercial vehicle inspection at 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, an inspection certificate of approval, inspection decal, 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) Certification of a commercial vehicle shall not be refused because a sign, poster, sticker, or other non-transparent material has been affixed to the windshield or front side window of a motor vehicle, provided the location of such sign, poster, sticker, or other non-transparent material does not obstruct the driver's vision. However, the motorist shall be advised to have the condition corrected.

(d) A commercial vehicle shall not be certified if it has an air scoop on the engine hood and 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.

(e) Certification of a commercial vehicle shall not be refused because of any vehicle safety technology, as defined in the United States Code of Federal Regulations at 49 CFR 393.5, and as adopted, amended, and supplemented in accordance with N.J.A.C. 13:60-2.1 and pursuant to N.J.S.A. 39:5B-32. Devices must be mounted in accordance with United States Code of Federal Regulations at 49 CFR 393.60(e)(ii)A and B, unless a specific and proper exemption from the Federal Motor Carrier Safety Administration can be provided, in either the form of an official letter or a notification published in the Federal Register.

13:20-32.9 [(Reserved)] Horn requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities

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

1. A horn that is inoperable;
2. A horn that is not audible under normal conditions from a distance of 200 feet;
3. A horn that is not securely fastened to the motor vehicle;
4. A horn that has a broken button or switch, or a horn which does not have a button or switch. (For example, a horn that is activated by grounding a bare wire shall not be certified.);
5. A horn that has an activating button or switch beyond the reach of the driver;
6. A horn button that is located in a place that is not readily conspicuous to the driver, or a horn button that requires the driver to take his or her eyes off of the road to activate the horn;
7. A horn ring that is broken, so as to be likely to cause injury or to snag clothing; or
8. A motor vehicle that is equipped with a siren, whistle, or bell, except an authorized emergency vehicle or unless a permit for the siren, whistle, or bell has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24. However, any motor vehicle may be equipped with a theft alarm signal device that is installed, so that it cannot be used by the driver as an ordinary warning signal.

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

1. A horn that 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; and
2. A horn that can only be sounded by a portion of the horn activation device.

13:20-32.10 [(Reserved)] Windshield wiper requirements, all motor vehicles; commercial vehicle inspection at official inspection facilities

(a) Every 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 with a clear view ahead under all conditions of weather.

(d) Windshield wiper blades shall not be damaged, hardened, deteriorated, missing, 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 with 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 [(Reserved)] Clearance lights requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) Clearance lights are lights that 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 that fulfills the requirements of both a clearance light and a side-marker light.

(f) An LED clearance light is a light that contains multiple light-emitting diode (LED) elements. An LED element is a single semiconductor light source. The number of LED elements contained within each LED light varies by manufacturer. A commercial vehicle equipped with one or more LED clearance lights shall not be refused certification because some of the lighting elements are not operative, provided that 50 percent or more of the lighting elements within each LED light are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.12 [(Reserved)] Turn signals and hazard warning signals requirements, all motor vehicles; commercial motor vehicle inspection at 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 that 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 that 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 commercial vehicle shall not be refused because a turn signal light has a cracked, broken, or missing lens, provided no white light shows to the rear of the motor vehicle. However, the motorist shall be advised to have the defect corrected.

(i) An LED turn signal and hazard warning signal light is a light that contains multiple light-emitting diode (LED) elements. An LED element is a single semi-conductor light source. The number of LED elements contained within each LED light varies by manufacturer. A commercial vehicle equipped with one or more LED turn signal and hazard warning signal lights shall not be refused certification because some of the lighting elements are not operative, provided that 50 percent or more of the lighting elements within each LED light are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.13 [(Reserved)] Reflectors requirements, all motor vehicles; commercial vehicle inspection at 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 [(Reserved)] Identification lights requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) Identification lights are used in groups of three in a horizontal row that 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.

(e) An LED identification light is a light that contains multiple light-emitting diode (LED) elements. An LED element is a single semi-conductor light source. The number of LED elements contained within each LED light varies by manufacturer. A commercial vehicle equipped with one or more LED identification lights shall not be refused certification because some of the lighting elements are not operative, provided that 50 percent or more of the lighting elements within each LED light are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.15 [(Reserved)] Side-marker lights, requirements, all vehicles; commercial vehicle inspection at 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 that fulfills the requirements of both a clearance light and a side-marker light.

(e) An LED side-marker light is a light that contains multiple light-emitting diode (LED) elements. An LED element is a single semi-conductor light source. The number of LED elements contained within each LED light varies by manufacturer. A commercial vehicle equipped with one or more LED side-marker lights shall not be refused certification because some of the lighting elements are not operative, provided that 50 percent or more of the lighting elements within each LED light are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.16 [(Reserved)] Taillights and license plate light requirements, all vehicles; commercial vehicle inspection at 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.

(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 commercial 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 commercial 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 commercial vehicle shall not be refused because the license plate light is missing, inoperative, or does not operate properly; however, the motorist shall be advised to have the defect corrected. 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.

(h) An LED taillight is a taillight that contains multiple light-emitting diode (LED) elements. An LED element is a single semiconductor light source. The number of LED elements contained within each LED taillight varies by manufacturer. A commercial vehicle equipped with one or more LED taillights shall not be refused certification because some of the taillight elements are not operative, provided that 50 percent or more of the taillight elements within each LED taillight are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.17 [(Reserved)] Stoplights, requirements, all vehicles; commercial vehicle inspection at 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 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 commercial 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 commercial 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) Certification of a commercial motor vehicle required to be equipped with a high-mounted rear stoplights(s) shall not be refused because the high-mounted rear stoplight(s) is missing, obstructed, inoperative, or does not operate properly, 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.

(g) Certification of a commercial motor vehicle equipped with a high-mounted rear stoplight shall not be refused because the stoplight is so wired that it illuminates when the turn signal lights are activated; however, the motorist shall be advised to have the defect corrected.

(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 rearview mirror. Certification of a commercial motor vehicle equipped with such a high-mounted rear stoplight shall not be refused because adequate means are not provided to minimize such reflections; however, the motorist shall be advised to have the condition corrected.

(i) An LED stoplight is a stoplight that contains multiple light-emitting diode (LED) elements. An LED element is a single semiconductor light source. The number of LED elements contained within each LED stoplight varies by manufacturer. A commercial vehicle equipped with one or more LED stoplights shall not be refused certification because some of the stoplight elements are not operative, provided that 50 percent or more of the stoplight elements within each LED stoplight are operative. However, the motorist shall be advised to have the defect corrected.

13:20-32.18 [(Reserved)] Wheels requirements, all vehicles; commercial vehicle inspection at 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 that adversely affect the safe operation of the motor vehicle.

13:20-32.19 [(Reserved)] Tire requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) The tread on each tire shall not be less than 2/32 of an inch deep.

(b) Many tires have tread depth indicators that become exposed when the tread depth is less than 2/32 of an inch. Tread depth indicators on commercial vehicles 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) Notwithstanding (a) above, the tread on each front tire of a motor vehicle that is registered as a commercial motor vehicle pursuant to N.J.S.A. 39:3-20 or that is a bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission or that is a taxicab, limousine, or jitney shall not be less than 4/32 of an inch deep. The tread on each rear tire of a motor vehicle that is registered as a commercial motor vehicle pursuant to N.J.S.A. 39:3-20 or that is a bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission or that is a taxicab, limousine, or jitney shall not be less than 2/32 of an inch deep.

(d) 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.

(e) 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.

(f) 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 that were originally manufactured with extra undertread material and are marked "REGROOVABLE" may be regrooved below the original tread depth.

(g) 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 commercial 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 Vehicle inspection: exhaust system requirements, all vehicles; vehicle inspection at 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 exhaust gas leakage at any point in the system;

3. 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 that causes excessive noise;

4. An exhaust system that has loose or worn components or has been patched; provided, however, that an exhaust system that has been properly welded and is in good condition may be certified;

5. 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 that might burn a person or cause injury shall be protected in a permanent and effective manner; or

6. An exhaust system installed in a manner that causes any part thereof to pass 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 that were placed in it at the time of manufacture for drainage purposes.

(c) [A passenger] No motor vehicle shall [not] be certified if there is evidence of tampering with emission control apparatus in violation of N.J.A.C. 7:27-15.7.

13:20-32.21 Vehicle inspection: visible smoke and on-board diagnostics test(s) requirements, all vehicles; vehicle inspection at official inspection facilities

(a) With respect to each gasoline-fueled or bi-fueled [passenger] motor vehicle that is 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.

(b) With respect to each OBD-equipped and OBD-eligible diesel-fueled [passenger] motor vehicle with model year 1997 or newer having a GVWR of 8,500 pounds or less that is presented for inspection, an official inspection facility shall conduct a visible smoke test and an OBD test specified for such motor vehicle in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-14 and 7:27B-4. An OBD inspection shall not be required pursuant to this subsection for any OBD-

equipped diesel-fueled motor vehicle that is not OBD-eligible, as shall be determined by the Department of Environmental Protection.

(c) No motor vehicle shall be certified if there is evidence of tampering with emission control apparatus in violation of N.J.A.C. 7:27-15.7.

13:20-32.23 [(Reserved)] Headlights requirements, all vehicles; commercial vehicle inspection at 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 commercial motor vehicle having a headlight with a missing lens shall not be certified; provided, however, that a motor vehicle shall not be refused certification because the headlight has a bull's-eye-type hole that has been repaired in a proper manner.

(e) There shall be no colored spray on the lens, visor, reflector, or other attachment that 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.

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

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

(i) Certification of a commercial motor vehicle shall not be refused because a headlight lens is cracked or broken or there is excessive moisture within the headlight, provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the defect corrected.

(j) Certification of a commercial motor vehicle shall not be refused because the light intensity of a headlight is weak, provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the defect corrected.

(k) Certification of a commercial motor vehicle shall not be refused because there is a brush guard, grille, or cover over or in front of a headlight; provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the condition corrected.

(l) A commercial 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 [(Reserved)] Rear view mirrors requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) A commercial motor vehicle shall not be certified if it is not equipped with at least one rear view mirror. A passenger vehicle 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 rearview 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) Certification of a commercial motor vehicle shall not be refused because a mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges, provided the mirror affords the driver adequate rearview vision. However, the motorist shall be advised to have the defect corrected.

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

13:20-32.25 [(Reserved)] Miscellaneous lights requirements, all vehicles; commercial motor vehicle inspection at 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. Certification of a commercial motor vehicle shall be refused if the aim of an auxiliary driving light is grossly misaligned.

1. Fog lights are auxiliary driving lights that 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, as amended and supplemented. 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, also known as auxiliary low beam driving lights, 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, as amended and supplemented. 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 that 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, as amended and supplemented. 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 that 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, as amended and supplemented.

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

(e) Any motor vehicle may be equipped with one running board courtesy light on each side of the vehicle. The courtesy light 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. Certification of a commercial motor

vehicle shall be refused if a back-up light is 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 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 such vehicle has been issued 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 at 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 operated 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 at 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 that 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.

(n) Except as otherwise provided at (b) and (f) above, certification of a commercial motor vehicle shall not be refused because of noncompliance with any provision of this section; however, the motorist shall be advised to have the defect corrected.

13:20-32.26 [(Reserved)] Wiring and switching requirements, all vehicles; commercial vehicle inspection at official inspection facilities

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

(c) Certification of a commercial vehicle shall not be refused if replacement switches are present that 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 [(Reserved)] Headlight beam indicator light, all vehicles; commercial vehicle inspection at official inspection facilities

Certification of a commercial 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 [(Reserved)] Turn signal and hazard warning signal indicator lights, all vehicles; commercial vehicle inspection at official inspection facilities

(a) Certification of a commercial 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 [(Reserved)] Antenna requirements, all vehicles; commercial vehicle inspection at 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 commercial vehicle shall not be refused because of an unsecured antenna; however, the motorist shall be advised to have the condition corrected.

13:20-32.30 [(Reserved)] Body requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) The motor vehicle body panels, floor pan, and other sections shall not be missing.

(b) Certification of a commercial vehicle shall not be refused because the body panels, floor pan, or other sections have excessive rust. However, the motorist shall be advised to have the defect corrected.

(c) Certification of a commercial vehicle shall not be refused because the vehicle body has rips or sharp edges; provided such rips or sharp edges do not pose a risk of injury. However, the motorist shall be advised to have the defect corrected.

13:20-32.31 [(Reserved)] Bumper requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) Bumpers, if present, shall be securely mounted on a motor vehicle. Commercial vehicles are required to have bumpers. Front and rear bumper heights shall be in accordance with the vehicle manufacturer's specifications.

(b) Certification of a commercial vehicle shall not be refused because a bumper has excessive rust. However, the motorist shall be advised to have the defect corrected.

(c) Certification of a commercial vehicle shall not be refused because a bumper has sharp or protruding parts or edges; provided such sharp or protruding parts or edges do not pose a risk of injury. However, the motorist shall be advised to have the defect corrected.

13:20-32.32 [(Reserved)] Door requirements, all vehicles; commercial vehicle inspection at 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 that are equipped with glazing material that can be readily removed without the use of tools.

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

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

13:20-32.33 [(Reserved)] Fenders and fender flaps requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) Fenders shall be securely mounted and shall have no rips or sharp edges that 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 vehicle from throwing dirt, water, or other material onto other vehicles. Fender flaps may be attached to the rear fenders to provide the necessary wheel coverage.

13:20-32.35 [(Reserved)] Hood requirements, all vehicles; commercial vehicle inspection at 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 [(Reserved)] Inspection of vehicles used for commercial purposes: lettering requirements; 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 commercial 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.

13:20-32.37 [(Reserved)] Ornaments, all vehicles; commercial vehicle inspection at official inspection facilities

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

13:20-32.38 [(Reserved)] Pedal requirements, all vehicles; commercial vehicle inspection at 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 [(Reserved)] Rack or carrier requirements, all vehicles; commercial vehicle inspection at official inspection facilities

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

13:20-32.40 [(Reserved)] Reflective tape requirements, all vehicles; commercial vehicle inspection at 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 [(Reserved)] Seat requirements, all vehicles; commercial vehicle inspection at 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.

13:20-32.42 [(Reserved)] Seat belt requirements, all vehicles; air bag requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) All motor vehicles that are required by law to be equipped with seat belts shall be in compliance with Federal Motor Vehicle Safety Standards Nos. 208 and 209, codified at 49 CFR 571.208 and 49 CFR 571.209, respectively, both of which are incorporated herein by reference. All motor vehicles that are required by law to be equipped with air bags shall be in compliance with Federal Motor Vehicle Safety Standard No. 208, codified at 49 CFR 571.208, incorporated herein by reference. Copies of the Federal Motor Vehicle Safety Standards that are codified in the Code of Federal Regulations at 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 number 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 commercial 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.

13:20-32.43 [(Reserved)] Gear shift indicator requirements, all vehicles; commercial vehicle inspection at official inspection facilities

A motor vehicle equipped with an automatic transmission shall be equipped with a gear shift indicator in proper operating condition. Certification of a commercial 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.

13:20-32.44 [(Reserved)] Transmission requirements, all vehicles; commercial vehicle inspection at official inspection facilities

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.

13:20-32.45 [(Reserved)] Television, videocassette recorder, or digital video disk player requirements, all vehicles; video camera requirements, all vehicles; global positioning system requirements, all vehicles; vehicle safety devices requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) A motor vehicle shall not have a television, videocassette recorder, or digital video disk player installed in such a manner that the viewing screen is visible to the driver while he or she is operating the motor vehicle.

(b) A motor vehicle may be equipped with a video camera or other device to enable the driver to view the exterior rear of the vehicle. Such camera or device shall not be operable when the vehicle is in forward motion.

(c) A motor vehicle may be equipped with a global positioning system provided such system does not obstruct the vision of the driver.

(d) A motor vehicle may be equipped with various types of vehicle safety technology, as defined in the United States Code of Federal Regulations at 49 CFR 393.5, and as adopted, amended, and supplemented in accordance with N.J.A.C. 13:60-2.1 and pursuant to N.J.S.A. 39:5B-32. Devices must be mounted in accordance with United States Code of Federal Regulations at 49 CFR 393.60(e)(ii)A and B, unless a specific and proper exemption can be provided from the Federal Motor Carrier Safety Administration in the form of an official letter or a notification published in the Federal Register.

13:20-32.46 [(Reserved)] Trunk lid requirements, all vehicles; commercial vehicle inspection at official inspection facilities

A motor vehicle trunk lid shall be capable of being securely fastened in accordance with the motor vehicle manufacturer's original design and specification.

13:20-32.47 [(Reserved)] Service brakes (including service brake equalization and service brake pedal reserve) requirements, all vehicles; commercial vehicle inspection at official inspection facilities

(a) The inspection for commercial motor vehicle service brake pedal reserve shall be performed as set forth in this section. "Pedal reserve" is the amount of total pedal travel left in reserve when the pedal is depressed to the brake applied position. The service brake pedal reserve test does not apply to air brake systems.

(b) With the commercial motor vehicle stationary and the service brake pedal depressed under a moderate foot force (that is, a force of 25 pounds for power brakes and 50 pounds for other brakes), there shall be a minimum of one-fifth of the total average pedal travel (as per the motor vehicle manufacturer's specifications) remaining. The vehicle engine shall be running when power brakes are tested. In the event that the adequacy of the service brake pedal reserve on a vehicle equipped with disc brakes is in question, the pedal reserve shall be tested when the brakes are applied while the motor vehicle is being driven. The service brake pedal reserve test is not required for motor vehicles equipped with full power (central hydraulic) brake systems or for motor vehicles with brake systems designed to operate with less than one-fifth pedal travel.

(c) With the service brake pedal depressed to the brake applied position for 10 seconds under a foot force of approximately 125 pounds, there shall be no perceptible decrease in pedal height and, if the commercial vehicle is so equipped, no illumination of the brake system failure indicator light. If a vehicle is so equipped, the brake system failure indicator light shall be in proper operating condition.

(d) Brake hoses shall not be mounted so as to contact the vehicle body or chassis. Brake hoses shall not be cracked, chafed, or flattened. Protective devices, such as “rub rings,” are not to be considered part of the brake hose.

(e) Hydraulic or air brake line tubing shall be specially designed for automotive hydraulic or air brake line use. Tubing designed for gasoline or oil lines is not acceptable for use as hydraulic or air brake lines.

(f) Backing plates and caliper assemblies shall not be deformed or cracked. Brake system parts shall not be broken, misaligned, missing, binding, or show evidence of severe wear. Automatic adjusters and other parts shall be assembled properly and installed correctly.

(g) The vacuum brake hoses shall be examined visually and aurally with the commercial motor vehicle engine running. The hoses shall not be collapsed, abraded, broken, improperly mounted, or audibly leaking.

(h) After ensuring that the tires are properly inflated, a brake performance test shall be conducted as part of the inspection. The brakes shall be tested on a drive-on platform tester or any other brake performance tester approved by the Chief Administrator. The results shall show some brake force produced by each wheel brake and the total brake force shall be equal to at least 43.5 percent of the gross vehicle weight. This is equivalent to a deceleration of 14 feet per second, which shall produce a stop from a speed of 20 miles per hour in 30 feet. The braking force on a front wheel or on a rear wheel shall not be less than 65 percent of the braking force developed on the other front wheel or rear wheel, respectively. The service brake shall have a minimum front to rear brake ratio of 40 percent and a maximum front to rear brake ratio of 95 percent. The allowable front brake bias margin shall be 25 percent. The allowable rear brake bias margin shall be 15 percent, except that for motor vehicles having a GVWR of 7,000 pounds or more, but less than 10,001 pounds, the allowable rear brake bias margin shall be 25 percent.

(i) If a commercial motor vehicle is equipped with air brakes, the low pressure warning system and air brake components shall be tested for proper operation. This test includes the following:

1. The low pressure warning system. The engine shall be turned off when there is sufficient air pressure, so that the low pressure warning signal is not illuminated. The electrical power shall be turned on and the brake pedal shall be depressed and released to reduce the air tank pressure. The low air pressure warning signal shall become illuminated before the air pressure drops to less than 60 pounds per square inch in the air tank (or, in dual air systems, in the tank with the lower air pressure);

2. Operation of automatic spring brakes. The commercial motor vehicle wheels shall be chocked, the parking brake released when there is sufficient air pressure to do so, and the engine turned off. The brake pedal shall be depressed and released to reduce the air tank pressure. The parking brake knob shall pop out when the air pressure falls to the manufacturer’s specification, which is usually in a range of between 20 to 40 pounds per square inch. This shall cause the spring brakes to engage;

3. Rate of air pressure increase. With the commercial motor vehicle engine idling at the motor vehicle manufacturer’s specification, the air pressure shall increase from 85 pounds per square inch to 100 pounds per square inch within 45 seconds in dual air systems. If the motor vehicle is equipped with larger than minimum air tanks, the rate of increase may be longer as per the manufacturer’s specifications. In single air systems on pre-1975 model year motor vehicles, typical specifications are an air pressure rate of increase from 50 to 90 pounds per square inch within three minutes with the engine at an idle speed of 600 to 900 revolutions per minute;

4. Air leakage rate. With a fully charged air system (typically 125 pounds per square inch), the engine shall be turned off, the service brake shall be released, and the air pressure drop shall be timed. The loss rate shall be less than two pounds per square inch in one minute for single vehicles, or less than three pounds per square inch in one minute for combination vehicles. Ninety pounds per square inch or more shall then be applied to the brake pedal. After the initial

pressure drop, the air pressure shall not fall more than three pounds per square inch in one minute for single vehicles, nor more than four pounds per square inch in one minute for combination vehicles; and

5. Governor cut-in and cut-out pressure. The air compressor shall start pumping at approximately 100 pounds per square inch and shall stop pumping at approximately 125 pounds per square inch as per the manufacturer’s specifications. The motor vehicle engine shall be operated at a fast idle. The air governor shall cut-out the air compressor at approximately the manufacturer’s specified pressure. The air pressure indicated on the air pressure gauge(s) shall stop rising. With the engine idling, the brake pedal shall be depressed and released to reduce the air tank pressure. The air compressor shall cut-in at approximately the manufacturer’s specified cut-in pressure, and the air pressure shall begin to rise.

13:20-32.48 [(Reserved)] Parking brake requirements, all vehicles; commercial vehicle inspection at official inspection facilities

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

(b) The parking brake shall be equipped with a ratchet and pawl, or other type of automatic locking device, which will hold the brake in the applied position. On motor vehicles equipped with an automatic transmission and an automatic parking brake release, the locking device shall hold the parking brake in the applied position regardless of whether the transmission gear shift lever is in the “neutral” or “park” position.

(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 on the brake mechanism.

13:20-32.49 [(Reserved)] Speed recording instrument (speedometer), all vehicles; mileage recording instrument (odometer), all vehicles; commercial vehicle inspection at official inspection facilities

The speed recording instrument (speedometer) and the mileage recording instrument (odometer) in a motor vehicle shall operate properly. Certification of a commercial 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 [(Reserved)] Emergency exits for buses

The emergency exit door on all buses shall comply with provisions of 49 CFR 393.62, as adopted, and as adopted, amended, and supplemented in accordance with N.J.A.C. 13:60-2.1 and pursuant to N.J.S.A. 39:5B-32, which are incorporated herein by reference.

13:20-32.51 [(Reserved)] Limousine inspections

(a) Certification of vehicles registered and displaying license plates as limousines shall be refused if the following requirements at N.J.S.A. 48:16-22.1 are not met:

1. Two-way communications system, which, at a minimum, shall provide for communication to a person outside the vehicle for a distance of not less than 100 miles and which requirement may be satisfied by a mobile telephone;

2. A removable first-aid kit and an operable fire extinguisher, which shall be placed in an accessible place within the vehicle; and

3. Sideboards attached to the permanent body construction of the vehicle if the height of the vehicle floor is 10 inches or more above ground level.

i. This measurement shall be determined from ground level to the top of the limousine’s passenger entrance door rocker panel or sill plate.

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

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

(a)-(c) (No change.)

(d) The fee that may be charged by a licensed private inspection facility for an initial passenger vehicle inspection or reinspection 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 for a licensed private inspection facility shall specifically set forth the inspection charge for the initial inspection of motor vehicles having a GVWR of 8,500 pounds or less and, if applicable, the inspection charge for the initial inspection of motor vehicles having a GVWR greater than 8,500 pounds.

**1. Fees charged by a licensed private inspection facility for an initial vehicle inspection or reinspection shall not exceed 50 percent of the average vehicle inspection fee or reinspection fee charged by the inspection facility within the preceding six months.**

(e)-(w) (No change.)

13:20-33.4 License plates; private inspection facilities

(a)-(b) (No change.)

(c) Certification of a commercial motor vehicle or vehicles registered as passenger vehicle transportation shall be refused if the following requirements are not met:

1.-7. (No change.)

13:20-33.8 Commercial vehicle inspection: obstruction to driver's vision

(a)-(d) (No change.)

**(e) Certification of a commercial motor vehicle shall not be refused because of the installation of any vehicle safety technology, as defined in the United States Code of Federal Regulations at 49 CFR 393.5, and as adopted, amended, and supplemented, and in accordance with N.J.A.C. 13:60-2.1 and pursuant to N.J.S.A. 39:5B-32. Devices must be mounted in accordance with the United States Code of Federal Regulations, 49 CFR 393.60(e)(ii)A and B, unless a specific and proper exemption can be provided from the Federal Motor Carrier Safety Administration in the form of an official letter or a notification published in the Federal Register.**

13:20-33.45 Commercial vehicle inspection: television, videocassette recorder, or digital video disk player; video camera; global positioning system; vehicle safety technology devices

(a)-(c) (No change.)

**(d) A motor vehicle may be equipped with various types of vehicle safety technology, as defined in the United States Code of Federal Regulations, 49 CFR 393.5, and as adopted, amended, and supplemented, and in accordance with N.J.A.C. 13:60-2.1 and N.J.S.A. 39:5B-32. Devices must be mounted in accordance with United States Code of Federal Regulations, 49 CFR 393.60(e)(ii)A and B, unless a specific and proper exemption can be provided from the Federal Motor Carrier Safety Administration in the form of an official letter or a notification published in the Federal Register.**

13:20-33.51 Emergency exits for buses

The emergency exit door on all buses shall comply with provisions of 49 CFR 393.62, as adopted, amended, and supplemented, and in accordance with N.J.A.C. 13:60-2.1 and N.J.S.A. 39:5B-32, which are incorporated herein by reference.

13:20-33.52 [(Reserved)] Limousine inspections

**(a) Certification of vehicles registered as limousines and displaying license plates as such shall be refused if the following requirements at N.J.S.A. 48:16-22.1 are not met:**

**1. Two-way communications system, which, at a minimum, shall provide for communication to a person outside the vehicle for a distance of not less than 100 miles and which requirement may be satisfied by a mobile telephone;**

**2. A removable first-aid kit and an operable fire extinguisher, which shall be placed in an accessible place within the vehicle; and**

**3. Sideboards attached to the permanent body construction of the vehicle if the height of the vehicle floor is 10 inches or more above ground level.**

**i. This measurement shall be determined from ground level to the top of the limousine's passenger entrance door rocker panel or sill plate.**

SUBCHAPTER 43. ENHANCED MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAM

13:20-43.10 Reinspections

**(a) Motor vehicles that fail inspection shall be reinspected within the period of time set forth [in] at N.J.A.C. 13:20-7.5, 7.6(a), or 43.14(g), whichever is applicable, after the motor vehicle has been repaired or adjusted. Emission-related or OBD-related repairs shall be performed by a registered motor vehicle emission repair facility, [or] by the owner or lessee of the motor vehicle[. The owner or lessee who had a registered motor vehicle emission repair facility perform emission-related or OBD-related repairs on a motor vehicle that failed the emission or OBD inspection shall present the previously-issued motor vehicle inspection report and inspection report supplement, if issued, which has/have been completed by such registered motor vehicle emission repair facility. The owner or lessee possessing a nationally-recognized certification for emission-related diagnosis and repairs who performs emission-related or OBD-related repairs to a motor vehicle that failed the emission or OBD inspection shall present the previously-issued motor vehicle inspection report and inspection report supplement, if issued, which has/have been completed by such owner or lessee. The owner or lessee who performs emission-related or OBD-related repairs of the emission control system and/or who performs an emission-related process on a motor vehicle that failed the emission or OBD inspection shall present the previously-issued motor vehicle inspection report and inspection report supplement, if issued, which has/have been completed by such owner or lessee], or by a person possessing a nationally recognized certification for emission-related diagnosis and repairs.**

**(b) For adjustments or repairs performed by a registered motor vehicle emission repair facility (ERF):**

**1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered into the electronic inspection database by the licensed emission repair facility, and if the information is present, the inspector shall conduct the reinspection of the vehicle; or**

**2. If the repair information has not been entered into the electronic inspection database, the inspector shall request the previously issued Emission Repair Form and enter the repair information into the electronic inspection database and conduct the reinspection of the vehicle.**

**(c) For adjustments or repairs performed by the owner or lessee:**

**1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered, and if no repair information has been entered into the database, then the inspector shall enter "self-repaired" into the electronic inspection database and conduct the reinspection of the vehicle.**

**(d) For adjustments or repairs performed by a person possessing a nationally recognized certification for emission-related repairs and diagnosis:**

**1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered, and if no repair information has been entered into the database, the inspector shall request the previously issued Emission Repair Form and enter the repair information into the electronic inspection database and conduct the reinspection of the vehicle.**

**(e) All motor vehicles subject to a reinspection, including motor vehicles that have failed an on-road inspection conducted in accordance with N.J.A.C. 13:20-43.14, for noncompliance with the emission, [or] OBD [inspection standards], or mechanical inspection standards shall, if required by rule, be subject to [the separable portions of the inspection procedure for the vehicle model year (that is, fuel cap leak testing, if applicable, and either exhaust or OBD testing, whichever is applicable). Portions of the testing procedure shall be considered separable for purposes of this section if a failure on one portion does not affect the likelihood of passage or failure on any other portion of the testing procedure] reinspection.**

(f) If the motor vehicle passes the reinspection, the Motor Vehicle Commission, or an authorized inspector, shall issue a certificate of approval for the motor vehicle indicating compliance. If the motor vehicle fails to pass the reinspection, the Motor Vehicle Commission, or an authorized inspector, shall issue a motor vehicle inspection report indicating noncompliance.

13:20-43.12 Inspection extensions

(a)-(c) (No change.)

(d) The owner or lessee of a motor vehicle registered in New Jersey that has failed inspection and requires repairs, other than repairs required to be made pursuant to N.J.A.C. 13:20-7.6, which cannot be completed prior to the date by which the motor vehicle must be presented for reinspection due to the nature of the repairs that are required, shall notify the Motor Vehicle Commission of the **exact** date upon which the repairs to the motor vehicle shall be completed. [If a current registration has been issued for the motor vehicle] **On receipt of the notification**, the Chief Administrator, or his or her designee, may, for good cause, issue a letter extending the time period in which to have the motor vehicle reinspected; **provided that, only one extension letter shall be granted per each inspection cycle established for the motor vehicle.** The inspection extension shall be valid from [its effective date] **the date upon which repairs to the motor vehicle shall be completed** to 14 days [from the date upon which the repairs to the motor vehicle have been completed, but] **thereafter, and** in no event shall the extension be valid beyond the expiration of the inspection cycle established for the motor vehicle.

13:20-43.17 Emission inspector training and licensing; training administration; testing; application process; license fee; renewal of license; refresher training and testing; conflicts of interest

(a) No person shall perform an emission or OBD inspection required by this subchapter, unless licensed by the Motor Vehicle Commission to perform such inspection. In order to obtain licensure as a motor vehicle emission inspector, an applicant shall complete a training program that shall consist of acquiring an understanding of:

- 1.-7. (No change.)
- 8. Public relations; [and]
- 9. Personal safety and health issues related to the inspection process[.];

and

**10. An overview of the New Jersey inspection program, including OBD, diesel safety inspections, and emission repairs.**

(b)-(i) (No change.)

**(j) An applicant who fails the written and/or hands-on inspector license test shall not be retested until a period of two calendar weeks have elapsed from the date of the applicant's last test.**

SUBCHAPTER 44. PRIVATE INSPECTION FACILITY LICENSING

13:20-44.10 Inspection certificates of approval

(a) The inspection certificate of approval for motor vehicles shall be composed of a base inspection sticker and insert indicating, respectively, the year and month of expiration of the certificate of approval. [The inspection certificate of approval issued for motorcycles shall be composed of a one-piece sticker indicating the year and month of expiration of the certificate of approval.]

(b) Base inspection stickers for motor vehicles [other than motorcycles and inspection certificates of approval for motorcycles] shall be purchased by a licensee, by mail or in person, from the Private Inspection Facility Licensing Unit of the Motor Vehicle Commission at the address specified [in] **at N.J.A.C. 13:20-44.4(a).**

(c) Base inspection stickers for motor vehicles [other than motorcycles and inspection certificates of approval for motorcycles] shall be purchased by a licensee at \$1.00 per sticker in quantities of 25 or more.

(d) A licensee shall secure base inspection stickers for motor vehicles [other than motorcycles and inspection certificates of approval for motorcycles] in a locked place of limited access, such as a safe, cabinet, or desk drawer. The licensee is solely responsible for the security of base inspection stickers for motor vehicles [other than motorcycles and inspection certificates of approval for motorcycles]. A licensee's failure to take necessary precautions to secure base inspection stickers for motor

vehicles [other than motorcycles and inspection certificates of approval for motorcycles] from loss or theft shall be cause for suspension or revocation of the license.

(e)-(g) (No change.)

(h) A licensee shall secure motor vehicle inspection reports separate and apart from base inspection stickers for motor vehicles [other than motorcycles, and shall secure motorcycle inspection cards separate and apart from inspection certificates of approval for motorcycles,] in a locked place of limited access, such as a safe, cabinet, or desk drawer.

(i) A licensee shall record the date of issuance of the inspection certificate of approval on the corresponding motor vehicle inspection report [or motorcycle inspection card].

(j) A licensee shall retain defective or voided inspection certificates of approval[,] **and** motor vehicle inspection reports[, and motorcycle inspection cards] and shall surrender them to a Motor Vehicle Commission representative at the time of a periodic audit conducted by the Motor Vehicle Commission.

(k) A licensee shall notify the local law enforcement agency upon determining that a base inspection sticker(s) for a motor vehicle [other than a motorcycle or a certificate(s) of approval for a motorcycle] has been stolen and shall file a copy of such report with the Motor Vehicle Commission.

(l) A licensee shall return all unused base inspection stickers for motor vehicles [other than motorcycles, all unused certificates of approval for motorcycles,] **and** all unused motor vehicle inspection reports[, and all unused motorcycle inspection cards] to a Motor Vehicle Commission representative upon the licensee's discontinuation of inspection certification services.

(m) A licensee shall be solely responsible for base inspection stickers for motor vehicles [other than motorcycles, certificates of approval for motorcycles], motor vehicle inspection reports, and motorcycle inspection cards issued to it by the Motor Vehicle Commission.

(n) (No change.)

SUBCHAPTER 50B. BODY STANDARDS FOR SCHOOL BUSES

13:20-50B.28 Overall width

**The overall width of school buses powered solely by electricity shall not exceed 102 inches, excluding accessories, pursuant to N.J.S.A. 39:3B-28.** The maximum overall width of [a] **all other** school buses shall not exceed 96 inches, excluding accessories.

(a)

**MOTOR VEHICLE COMMISSION**

**Licensing Service**

**Commercial Driver Licensing**

**Proposed Amendments: N.J.A.C. 13:21-23.2, 23.3, 23.6, 23.10, 23.12, 23.14, and 23.15**

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Authority: N.J.S.A. 39:2-3, 39:2A-21, 39:2A-28, and 39:3-10.27.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2021-069.

Submit written comments by October 1, 2021, to:

Emily H. Armstrong  
 Legal and Regulatory Affairs  
 Motor Vehicle Commission  
 225 East State Street  
 PO Box 162  
 Trenton, NJ 08666-0162  
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The agency proposal follows: