

TITLE 16. TRANSPORTATION
CHAPTER 53A. BUS SAFETY COMPLIANCE OVERSIGHT, ENFORCEMENT, OUT-OF-SERVICE
VIOLATIONS AND PENALTIES

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N.J.A.C. 16:53A (2016)

Title 16, Chapter 53A -- Chapter Notes

NOTES:

CHAPTER AUTHORITY:

N.J.S.A. 2A:58-10 et seq.; 48:4-2.1c et seq. and 52:14D-6; and October 5, 1978 Executive Reorganization Plan.

CHAPTER SOURCE AND EFFECTIVE DATE:

R.2010 d.046, effective January 15, 2010.

See: 41 N.J.R. 3036(a), 42 N.J.R. 594(a).

CHAPTER EXPIRATION DATE:

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 53A, Bus Safety Compliance Oversight, Enforcement, Out-of-Service Violations and Penalties, expires on January 15, 2017. See: 43 N.J.R. 1203(a).

CHAPTER HISTORICAL NOTE:

Chapter 53A, Financial And Accounting Conditions and Criteria for Bus Operating Assistance Program, was adopted as R.1979 d.302, effective August 7, 1979. See: 11 N.J.R. 301(b), 11 N.J.R. 471(b).

Pursuant to Executive Order No. 66(1978), Chapter 53A, Financial and Accounting Conditions and Criteria for Bus Operating Assistance Program, expired on August 7, 1984.

Chapter 53A, Financial and Accounting Conditions and Criteria for Bus Operating Assistance Program, was adopted as new rules by R.1985 d.193, effective April 15, 1985. See: 17 N.J.R. 272(a), 17 N.J.R. 977(a). Chapter 53A, Financial and Accounting Conditions and Criteria for Bus Operating Assistance Program, was repealed by R.1990 d.54, effective February 5, 1990. See: 21 N.J.R. 3633(a), 22 N.J.R. 362(b).

Chapter 53A, Bus Safety Compliance Oversight, Enforcement, Out-of-Service Violations and Penalties, was adopted as new rules by R.1999 d.133, effective April 19, 1999. See: 31 N.J.R. 253(c), 31 N.J.R. 1073(a).

Chapter 53A, Bus Safety Compliance Oversight, Enforcement, Out-of-Service Violations and Penalties, was readopted as R.2004 d.331, effective July 30, 2004. See: 36 N.J.R. 1672(a),

36 N.J.R. 4163(a).

Chapter 53A, Bus Safety Compliance Oversight, Enforcement, Out-of-Service Violations and Penalties, was readopted as R.2010 d.046, effective January 15, 2010. See: Source and Effective Date. See, also, section annotations.

§ 16:53A-1.1 Scope

(a) This chapter establishes a schedule of bus safety out-of-service violations and applicable sanctions and penalties for buses operating with bus safety out-of-service violations.

(b) These rules categorize each bus safety out-of-service violation as either a category 1 or category 2 violation. The rules further establish a specific monetary civil penalty for each bus safety out-of-service violation which shall be proportional to the nature and severity of such violation. The bus operator shall be responsible for all penalties.

(c) These rules are consistent with national safety standards established by the Federal Highway Administration and the Commercial Vehicle Safety Alliance. The Commercial Vehicle Safety Alliance is an organization of Federal, State and Provincial government agencies and representatives from private industry in the United States, Canada and Mexico dedicated to improvement of commercial vehicle safety.

§ 16:53A-2.1 Definitions

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

"Bus" or "buses" means and includes all autobuses, of whatever size or configuration, under the jurisdiction of the Motor Vehicle Commission; all autobuses of NJ Transit and its contract carriers which are under the inspection jurisdiction of the Commission; all autobuses, of whatever size or configuration, that are subject to Federal Motor Carrier Safety Regulations, operated on public highways or in public places in this State; and all autobuses operated on public highways or in public places in this State under the authority of the Interstate Commerce Commission, or its successor agency, the Federal Highway Administration. The term "bus" or "buses" shall not include school buses, as defined pursuant to N.J.S.A. 39:1-1.

"Bus safety out-of-service violation" means any serious mechanical, electrical or vehicular condition that is determined to be so unsafe as to potentially cause an accident or breakdown, or would potentially contribute to loss of control of the vehicle by the driver.

"Category 1 violation" means any bus safety out-of-service violation that should have been detected during the daily pre-trip inspection or during periodic repair and maintenance procedures conducted by the driver or operator.

"Category 2 violation" means any bus safety out-of-service violation that may have occurred after the daily pre-trip inspection and therefore might not have been detected by the operator or driver during the daily pre-trip inspection or during periodic repair and maintenance procedures.

"Operator" means the person responsible for the day-to-day maintenance and operation of buses. A "person" may be an individual or individuals, a corporation, or other entity responsible for the day to day maintenance and/or operation of buses regulated under the Bus Safety Compliance Act, N.J.S.A. 48:4-2.1c et seq.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

In "Bus or buses", substituted "Motor Vehicle Commission" for "Department of Transportation" and "Commission" for "Department".

§ 16:53A-3.1 Violations and applicable penalties

The violation and penalty schedule set forth in this subchapter denotes critical vehicle inspection items, describes the pertinent bus safety out-of-service violation, the category of violation, and establishes the applicable monetary civil penalty for such violation.

§ 16:53A-3.2 Brake system

(a) The number of defective brakes is equal to or greater than 20 percent of brakes on the vehicle or combination. Steering axle brakes are to be included in the 20 percent criterion. A defective brake includes any brake that meets one of the following criteria:

1. Absence of effective braking action upon application of the service brakes, such as brake linings failing to move or contact breaking surface upon application. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per wheel.
2. Missing or broken mechanical components including: shoes, linings, pads, springs, anchor pins, spiders, cam rollers, pushrods, and air chamber mounting bolts. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per wheel.
3. Loose brake components including: air chambers, spiders, and cam shaft support brackets. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per wheel.
4. Audible air leak at brake chamber. (Example: ruptured diaphragm, loose chamber clamp.) This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per wheel.
5. Brake adjustment limits. Bring reservoir pressure between 90 and 100 psi, turn engine off and then fully apply the brakes.

i. One brake at 1/4 inch or more above the adjustment limit. (Example: Type 30 clamp type brake chamber pushrod measured at 2 1/4 inches would be one defective brake.) This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per brake.

ii. Two brakes less than 1/4 inch beyond the adjustment limit also equal one defective brake. (Example: Type 30 clamp type brake chamber pushrods measure--two at 2 1/8 inches.) This example would equal one defective brake. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per brake.

iii. Any wedge brake where the combined brake lining movement of both top and bottom shoe exceeds 1/8 inch. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per brake.

6. Brake linings or pads, except on power unit steering axles.

i. Cracked, loose, or missing lining. Any violation under (a)6i(1), (2), (3) or (4) below is a category 2 violation. The penalty for each violation shall be \$ 300.00 per wheel. Missing lining, under (a)6i(5) below, is a category 1 violation. The penalty for this violation shall be \$ 2,000 per wheel.

(1) Lining cracks or voids of 1/16 inch in width observable on the edge of the lining.

(2) Portions of a lining segment missing such that a fastening device (trivet or bolt) is exposed when viewing the lining from the edge.

(3) Cracks that exceed 1 1/2 inches in length.

(4) Loose fitting segments. (Approximately 1/16 inch or more movement.)

(5) Complete lining segment missing.

ii. The following chart shall be adhered to in determining brake adjustment limits, and is incorporated herein by reference.

**COMMERCIAL VEHICLE SAFETY ALLIANCE
NORTH AMERICAN UNIFORM OUT-OF-SERVICE CRITERIA
BRAKE ADJUSTMENT REFERENCE CHART**

Reference: Paragraph 1.a. of Part II of the Out-of-Service Criteria Brake Adjustment: Shall not exceed those specifications contained hereunder relating to "Brake Adjustment Limit." (Dimensions are in inches.)

CLAMP TYPE BRAKE CHAMBER DATA		
Type	Outside Diameter	Brake Adjustment Limit
6	4 1/2	1 1/4
9	5 1/4	1 3/8
12	5 11/16	1 3/8
16	6 3/8	1 3/4

20	6 25/32	1 3/4
24	7 7/32	1 3/4
30	8 3/32	2
36	9	2 1/4

NOTE: A brake found at the adjustment limit is not a violation.

'LONG STROKE' CLAMP TYPE BRAKE CHAMBER DATA

Type	Outside Diameter	Brake Adjustment Limit
16	6 3/8	2.0
20	6 25/32	2.0
24	7 7/32	2.0
24*	7 7/32	2.5
30	8 3/32	2.5

*For 3 inch maximum stroke type 24 chambers

NOTE: A brake found at the adjustment limit is not a violation.

TIE ROD STYLE PISTON BRAKE CHAMBER DATA

Type	Outside Diameter	Brake Adjustment Limit
30	6 1/2 (165 mm)	2.5 (64 mm)

NOTE: A brake found at the adjustment limit is not a violation.

BOLT TYPE BRAKE CHAMBER DATA

Type	Outside Diameter	Brake Adjustment Limit
A	6 15/16	1 3/8
B	9 3/16	1 3/4
C	8 1/16	1 3/4
D	5 1/4	1 1/4
E	6 3/16	1 3/8
F	11	2 1/4
G	9 7/8	2

NOTE: A brake found at the adjustment limit is not a violation.

ROTOCHAMBER DATA

Type	Outside Diameter	Brake Adjustment Limit
9	4 9/32	1 1/2
12	4 13/16	1 1/2
16	5 13/32	2

20	5 15/16	2
24	6 13/32	2
30	7 1/16	2 1/4
36	7 5/8	2 3/4
50	8 7/8	3

NOTE: A brake found at the adjustment limit is not a violation.

DD-3 BRAKE CHAMBER DATA

Type	Outside Diameter	Brake Adjustment Limit
30	8 1/8	2 1/4

NOTE: This chamber has three air lines and is found on motor coaches.

NOTE: A brake found at the adjustment limit is not a violation.

WEDGE BRAKE DATA

The combined movement of both brake shoe lining scribe marks shall not exceed 1/8 inch (3.18 mm).

iii. Evidence of oil seepage into or out of the brake lining/drum interface area. This must include wet contamination of the lining edge accompanied by evidence that further contamination will occur--such as oil running from the drum or a bearing seal. Grease on the lining edge, back of shoe, or drum edge and oil stains with no evidence of fresh oil leakage are not conditions for out-of-service. This is a category 2 violation. The penalty for this violation shall be \$ 300.00 per wheel.

iv. Air brakes: Lining with a thickness less than 1/4 inch or to wear indicator, if lining is so marked, measured at the shoe center for drum brakes or less than 1/8 inch for disc brakes. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per wheel.

v. Hydraulic and electric brakes: Lining with a thickness 1/16 inch or less at the shoe center for disc or drum brakes. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per wheel.

7. Missing brake on any axle required to have brakes. This is a category 1 violation. The penalty for this violation shall be \$ 5,000 per wheel.

(b) In addition to being included in the 20 percent criterion, the following criteria pertaining to steering axle brakes place a vehicle in an out-of-service condition:

1. Absence of effective braking action on any steering axle of any vehicle required to have steering axle brakes. This is a category 2 violation. The penalty for this violation shall be \$ 400.00 per wheel.

2. Mismatch across any power unit steering axle of:

i. Air chamber sizes. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per wheel.

ii. Slack adjuster length. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per wheel.

3. Brake linings or pads on the steering axle of any power unit:

i. Cracked, loose or missing lining. Any violation under (b)3i(1), (2), (3) or (4) below is a category 2 violation. The penalty for each violation shall be \$ 500.00 per wheel. Missing lining, under (b)3i(5) below, is a category 1 violation. The penalty for this violation shall be \$ 3,000 per wheel.

(1) Lining cracks or voids 1/16 inch in width observable on the edge of the lining.

(2) Portions of a lining segment missing such that a fastening device (rivet or bolt) is exposed when viewing the lining from the edge.

(3) Cracks that exceed 1 1/2 inches in length.

(4) Loose lining segments. (Approximately 1/16 inch or more movement.)

(5) Complete lining segment missing.

ii. Evidence of oil seepage into or out of the brake lining/drum interface area. This must include wet contamination of that lining edge accompanied by evidence further contamination will occur--such as oil running from the drum or bearing seal. Grease on the lining edge, back of shoe, or drum edge and oil stains with no evidence of fresh oil leakage are not conditions for out-of-service. This is a category 2 violation. The penalty for this violation shall be \$ 400.00 per wheel.

iii. Lining with a thickness less than 3/16 inch for a shoe with a continuous strip of lining or 1/4 inch for a shoe with two pads for drum brakes or to wear indicator if lining is so marked, or less than 1/8 inch for air disc brakes, and 1/16 inch or less for hydraulic disc, drum and electric brakes. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per wheel.

(c) The following is the violation, category and penalty pertaining to parking brakes:

1. Any non-manufactured holes or cracks in the spring brake housing section of a parking brake. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

(d) The following are the violations, categories and penalties pertaining to brake drums or rotors (discs):

1. Drums with any external crack or cracks that open upon brake application. Do not confuse short hairline heat check cracks with flexural cracks. This is a category 2 violation. The penalty for this violation shall be \$ 300.00 per wheel.

2. Any portion of the drum or rotor (discs) missing or in danger of falling away. This is a category 2 violation. The penalty for this violation shall be \$ 300.00 per wheel.

3. Rotors with any crack or cracks. Do not confuse short hairline heat check cracks with fatigue cracks. This is a category 2 violation. The penalty for this violation shall be \$ 300.00 per wheel.

(e) The following are the violations, categories and penalties pertaining to brake hose:

1. Hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply. Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is out-of-service.) This is a category 1 violation. The penalty for this violation shall be \$ 300.00 per hose.

2. Bulge/swelling when air pressure is applied. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per hose.

3. Hose with audible leak at other than a proper connection. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per hose.

4. Two hoses improperly joined such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube. This is a category 1 violation. The penalty for this violation shall be \$ 5,000 per hose.

5. Air hose cracked, broken or crimped in such a manner as to restrict air flow. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per hose.

(f) The following are the violations, categories and penalties pertaining to brake tubing:

1. Tubing with an audible leak at other than a proper connection. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

2. Tubing cracked, damaged by heat, broken or crimped. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

(g) The following is the violation, category and penalty pertaining to the low pressure warning device:

1. Low pressure warning device missing, inoperative, or does not operate at 55 psi and below, or 1/2 of the governor cutout pressure, whichever is less. If either an audible or

visual warning device is working, vehicle should not be placed out-of-service. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

(h) The following is the violation, category and penalty pertaining to air loss rate:

1. If an air leak is discovered and the reservoir pressure is not maintained when the governor is cut-in, the reservoir pressure is between 80 and 90 psi, the engine is at idle, and the service brakes are fully applied. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

(i) The following are the violations, categories and penalties pertaining to the air reservoir security:

1. Reservoir separated from its original attachment points by metal fatigue, broken or missing bolt. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

2. Reservoir separated from its original attachment points and the strap securing is rotted out or is improperly secured with bailing wire, coat hanger wire or other like material. This is a category 1 violation. The penalty for this violation shall be \$ 5,000.

(j) The following are the violations, categories and penalties pertaining to the air compressor (normally to be inspected when readily visible or when conditions indicate compressor problems):

1. Loose compressor mounting bolts. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

2. Cracked, broken or loose pulley. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

3. Cracked or broken mounting brackets, braces or adapters. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

(k) The following are the violations, categories and penalties pertaining to hydraulic brakes (including power assist over hydraulic and engine driven hydraulic booster):

1. No pedal reserve with engine running. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

2. Master cylinder less than 1/4 full. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

3. Power assist unit fails to operate. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

4. Seeping or swelling brake hose(s) under application of pressure. This is a category 2

violation. The penalty for this violation shall be \$ 100.00.

5. Hydraulic hose(s) abraded (chafed) through outer cover-to-fabric layer. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

6. Fluid lines or connections restricted, crimped, cracked or broken. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

7. Any visually observed leaking hydraulic fluid in the brake system upon full application. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

8. Hydraulic system: brake failure/low fluid warning light on and/or inoperative. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

(I) The following are the violations, categories and penalties pertaining to the vacuum system:

1. Insufficient vacuum reserve to permit one full brake application after engine is shut off. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

2. Vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover-to-cord ply, crimped, cracked, broken, or has collapse of vacuum hose(s) when vacuum is applied. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 N.J.R. 1672(a), 36 N.J.R. 4163(a).

In (d), added 3.

Amended by R.2010 d.046, effective February 16, 2010.

See: 41 N.J.R. 3036(a), 42 N.J.R. 594(a).

In the introductory paragraph of (a), deleted ", provided, however, on a three axle bus, one defective brake shall constitute a violation" following "combination".

§ 16:53A-3.3 Exhaust system

(a) Any exhaust system, other than that of a diesel engine, leaking at a point forward of or directly below the driver/sleeper compartment and when the floor pan is in such condition as to permit entry of exhaust fumes. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

(b) Any bus exhaust system leaking or discharging under the chassis more than six inches forward of the rearmost part of the bus when powered by a gasoline engine, or more than 15 inches forward of the rearmost part of the bus when powered by other than a gasoline or diesel engine. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

(c) No part of the exhaust system of any motor vehicle shall be so located as to be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

§ 16:53A-3.4 Frame

(a) The following are the violations, categories and penalties pertaining to frame members:

1. Any cracked, loose, sagging or broken frame siderail permitting shifting of the body onto moving parts or other condition indicating an imminent collapse of the frame. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Any cracked, loose, or broken frame member adversely affecting support of functional components such as steering gear, engine, transmission, body parts and suspension. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
3. A crack one and one-half inches long or longer in the frame siderail web which is directed toward bottom flange. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.
4. Any crack extending from the frame siderail web around the radius and into the bottom flange. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.
5. A crack one inch or longer in siderail bottom flange. This is a category 2 violation. The penalty for this violation shall be \$ 100.00.
6. Any cracked, loose, sagging or broken frame siderail, resulting from a preexisting rust, corrosion or other deteriorating condition. Parts and accessories shall not be welded to the frame nor shall repair of the frame be welded other than in accordance with the vehicle manufacturer's recommendation. This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(b) The following is the violation, category and penalty pertaining to tire and wheel clearance:

1. Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assemblies, at the time of inspection. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

HISTORY:

Amended by R.2010 d.046, effective February 16, 2010.

See: 41 N.J.R. 3036(a), 42 N.J.R. 594(a).

Rewrote (a)6.

§ 16:53A-3.5 Fuel system

(a) A fuel system with a dripping leak at any point, including refrigeration or heater fuel systems, is a category 2 violation. The penalty for this violation shall be \$ 300.00.

(b) A fuel tank not securely attached to the vehicle in a workmanlike manner. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

HISTORY:

Amended by R.2010 d.046, effective February 16, 2010.

See: 41 N.J.R. 3036(a), 42 N.J.R. 594(a).

In (b), inserted "in a workmanlike manner" and deleted the second sentence; and deleted (c).

§ 16:53A-3.6 Head lamps, tail lamps, stop lamps, and turn signals

(a) The following violations, categories and penalties pertain to lighting devices when lights are required:

1. The single vehicle or towing vehicle does not have at least one head lamp operative on low beam. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per violation.

2. The vehicle does not have at least one steady burning tail lamp on the rear of the vehicle visible from 500 feet. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per violation.

(b) The following violation, categories and penalties pertain to lighting devices at anytime, day or night:

1. The vehicle does not have at least one operative stop lamp on the rear visible at 500 feet. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per violation.

2. The vehicle does not have an operative turn signal visible on each side of the rear of the vehicle. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per lamp.

§ 16:53A-3.7 Steering mechanism

(a) The following is the violation, category and penalty pertaining to steering wheel free play:

1. When any of the values--inch movement or degrees--in the chart below are met or exceeded, vehicle shall be placed out-of-service. For power steering systems, engine must be running. This is a category 1 violation. The penalty for this violation shall be \$ 1,000. The following chart shall be adhered to in determining steering wheel freeplay, and is incorporated herein by reference.

COMMERCIAL VEHICLE SAFETY ALLIANCE
NORTH AMERICAN UNIFORM OUT-OF-SERVICE CRITERIA
STEERING WHEEL FREEPLAY CHART

Man. Sys. Steering Wheel Diameter	Movement	Power Sys. Movement *
16 inches (41 cm)	30 degrees or 4 1/2 inches (11.5 cm) (or more)	45 degrees or 6 3/4 inches (17 cm)) (or more)
18 inches (46 cm)	4 3/4 inches (12 cm) (or more)	7 1/8 inches (18 cm) (or more)
19 inches (48 cm)	5 inches (13 cm) (or more)	7 1/2 inches (19 cm) (or more)
20 inches (51 cm)	5 1/4 inches (13 cm) (or more)	7 7/8 inches (20 cm) (or more)
21 inches (53 cm)	5 1/2 inches (14 cm) (or more)	8 1/4 inches (21 cm) (or more)
22 inches (56 cm)	5 3/4 inches (15 cm) (or more)	8 5/8 inches (22 cm) (or more)

* For power steering systems, if the steering wheel movement exceeds 45 degrees before steering axle tires move, proceed as follows: Rock steering wheel left to right between points of power steering valve resistance. If that motion exceeds 30 degrees (or the inch movement values shown for manual steering), vehicle shall be placed out-of-service.

(b) The following are the violations, categories and penalties pertaining to the steering column:

1. Any absence of U-bolt(s) or positioning part(s). This is a category 1 violation. The penalty for this violation shall be \$ 500.00.
2. Any looseness of U-bolt(s) or positioning part(s). This is a category 2 violation. The penalty for this violation shall be \$ 100.00.
3. Worn universal joint(s). This is a category 1 violation. The penalty for this violation shall be \$ 500.00.
4. Faulty universal joint(s). This is a category 2 violation. The penalty for this violation shall be \$ 100.00.
5. Repair-welded universal joint(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.
6. Steering wheel not properly secured. This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(c) The following are the violations, categories and penalties pertaining to the front axle beam and all steering components other than steering column, including the hub:

1. Any crack(s). This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Any obvious welded repair(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(d) The following are the violations, categories and penalties pertaining to the steering gear box:

1. Any mounting bolt(s) loose or missing. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Any crack(s) in gear box or mounting brackets. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

3. Any obvious welded repair(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(e) The following are the violations, categories and penalties pertaining to the pitman arm:

1. Any looseness of the pitman arm on the steering gear output shaft. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

2. Any obvious welded repair(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(f) The following is the violation, category and penalty pertaining to power steering:

1. Auxiliary power assist cylinder loose. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

(g) The following are the violations, categories and penalties pertaining to ball and socket joints:

1. Any movement under steering load of a stud nut. This is a category 2 violation. The penalty for this violation shall be \$ 300.00.

2. Any motion, other than rotational, between any linkage member and its attachment point of more than 1/8 inch (three mm) measured with hand pressure only. This is a category 1 violation. The penalty for this violation shall be \$ 500.00.

3. Any obvious welded repair(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.

(h) The following are the violations, categories and penalties pertaining to tie rods and drag links:

1. Loose clamp(s) or clamp bolt(s) on tie rod or drag links. This is a category 2 violation. The penalty for this violation shall be \$ 200.00.

2. Any looseness in any threaded joint. This is a category 2 violation. The penalty for this violation shall be \$ 200.00.

(i) The following is the violation, category and penalty pertaining to nuts:

1. Loose or missing nut(s) on tie rods, pitman arm, drag link, steering arm or tie rod arm. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

(j) The following are the violations, categories and penalties pertaining to the steering system:

1. Any modification that interferes with free movement of any steering component. This is a category 1 violation. The penalty for this violation shall be \$ 5,000.

2. Any other condition that interferes with free movement of any steering component. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

§ 16:53A-3.8 Suspension

(a) The following are the violations, categories and penalties pertaining to axle parts/members:

1. Any U-bolt(s) or other spring to axle clamp bolt(s) cracked, broken, loose, or missing. This is a category 2 violation. The penalty for this violation shall be \$ 200.00.

2. Any spring hanger(s), or other axle positioning part(s) cracked, broken, loose, or missing resulting in shifting of an axle from its normal position, provided, however, that after a turn, lateral axle displacement is normal with some suspensions including composite springs mounted on steering axles. This is a category 2 violation. The penalty for this violation shall be \$ 400.00.

(b) The following are the violations, categories and penalties pertaining to spring assembly:

1. One-fourth or more of the leaves in any spring assembly broken. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

2. Any leaf or portion of any leaf in any spring assembly is missing or separated. This is a category 2 violation. The penalty for this violation shall be \$ 200.00.

3. Any broken main leaf in a leaf spring. This is a category 2 violation. The penalty for this violation shall be \$ 500.00. For purposes of this violation:

i. Any leaf of a leaf spring assembly is a main leaf if it extends, at both ends, to or beyond any of (b)3i(1) through (3) below. In addition, any leaf of a helper spring assembly is a helper main leaf if it extends, at both ends, to or beyond the local bearing surface of its contact pad, hanger or equalizer.

(1) The load bearing surface of a spring hanger or equalizer;

(2) The spring end cap or insulator box mounted on the axle;

(3) A spring eye.

ii. The radius rod leaf, in springs having such a leaf, has the same function as the torque or radius components referenced in N.J.A.C. 16:53A-3.8(c)1 concerning torque radius, or tracking components and shall be treated as such a component for purposes of out-of-service.

4. Coil spring is broken. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

5. One or more leaves displaced in a manner that could result in contact with a tire, rim,

brake drum or frame. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

6. Broken torsion bar spring in torsion bar suspension. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

7. Deflated air suspension (that is, system failure, leak, etc.). This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

(c) The following is the violation, category and penalty pertaining to torque, radius or tracking components:

1. Any part of a torque, radius, or tracking component assembly or any part used for attaching same to the vehicle frame or axle that is cracked, loose, broken or missing (including spring leaves used as a radius or torque rod, missing bushings but not loose bushings in torque or track rods). This is a category 2 violation. The penalty for this violation shall be \$ 500.00.

§ 16:53A-3.9 Tires

(a) The following are violations, categories and penalties pertaining to any tire on any steering axle of a power unit:

1. A tire with less than 2/32 inch tread when measured in any two adjacent major tread grooves at any location on the tire. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per tire.

2. When any part of the breaker strip or casing ply is showing in the tread. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per tire.

3. When sidewall is cut, worn or damaged to the extent the ply cord is exposed. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per tire.

4. Tire labeled "Not For Highway Use" or carrying other markings which would exclude use on steering axles. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per tire.

5. Visually observable bump, bulge, or knot apparently related to tread or sidewall separation, provided, however, that a bulge due to a section repair is allowed, but it may not exceed 3/8 inch (one cm) in height. This bulge may sometimes be identified by a blue triangular label in the immediate vicinity. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per tire.

6. Tire is flat or has noticeable (for example, can be heard or felt) leak. This is a category 2 violation. The penalty for this violation shall be \$ 200.00 per tire.

7. Tire so mounted or inflated that it comes in contact with any part of the vehicle. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per tire.

8. On the steering axle, weight carried exceeds tire load limit. This includes an overloaded tire resulting from low air pressure, but does not apply to vehicles being operated under the special permit exclusion found in Federal Motor Carrier Safety Regulation 49 CFR

393.75(f)(1). This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per tire.

(b) The following are the violations, categories and penalties pertaining to all tires other than those found on the steering axle of a powered vehicle:

1. Tire is flat or has a noticeable (for example, can be heard or felt) leak. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per tire.
2. Bias ply tire, when more than one ply is exposed in the tread area or sidewall or when the exposed area of the top ply exceeds two square inches. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per tire or per wheel.
3. Radial ply tire, when two or more plies are exposed in the tread area or damaged cords are evident in the sidewall or when the exposed area exceeds two square inches (13 square cm) in the sidewall. For a single tire, one tire must meet this condition. On dual wheels, each tire must meet this condition. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per tire or per wheel.
4. Any tire with visually observable bump or knot apparently related to tread or sidewall separation, provided, however, that a bulge due to a section repair is allowed, but it may not exceed 3/8 inch (one cm) in height. The bulge may sometimes be identified by a blue triangular label in the immediate vicinity. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per tire.
5. Any tire so mounted or inflated that it comes in contact with any part of the vehicle. This includes any tire contacting its mate in a dual set. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per tire.
6. Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure, but this does not apply to vehicles being operated under the special exclusion found in Federal Motor Carrier Safety Regulation, 49 CFR 393.75(f)(1). This is a category 1 violation. The penalty for this violation shall be \$ 300.00 per tire.
7. Bald tires, that is, tires so worn that less than 1/32 inch tread remains when measured in any two adjacent major tread grooves at three separate locations on the tire. On dual tires, both tires must have less than 1/32 inch tread. This is a category 1 violation. The penalty for this violation shall be \$ 500.00 per tire.
8. Seventy-five percent or more of the tire tread is width loose or missing in excess of 12 inches (30 cm) in circumference. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per tire.

§ 16:53A-3.10 Wheels and rims

(a) The following are the violations, categories and penalties pertaining to lock or side ring:

1. Bent, broken, cracked, improperly seated, or sprung ring(s). This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Mismatched ring(s). This is a category 1 violation. The penalty for this violation shall be \$ 1,000.00.

(b) The following are the violations, categories and penalties for rim cracks:

1. Any circumferential crack except an intentional manufactured crack at a valve stem hole. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Rim crack(s) caused by a rusted or other deterioration are a category 1 violation. The penalty for this violation shall be \$ 1,000.

(c) The following are the violations, categories and penalties pertaining to disc wheel cracks:

1. Any single crack three inches or more in length. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. A crack extending between any two holes including hand holes, stud holes and center hole. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
3. Two or more cracks any place on the wheel. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
4. Disc wheel crack(s) in (c)1, 2 or 3 above caused by a rusted or other deterioration are a category 1 violation. The penalty for this violation shall be \$ 1,000.

(d) Fifty percent or more elongated stud holes on disc wheels with the fasteners tight is a category 1 violation. The penalty for this violation shall be \$ 1,000 per wheel.

(e) The following are the violations, categories and penalties pertaining to spoke wheel cracks:

1. Two or more cracks more than one inch long across a spoke or hub section. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Two or more web areas with cracks. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
3. Spoke wheel crack(s) in (e)1 or 2 above caused by a rusted or other deterioration, or where rust is bleeding from crack(s) are a category 1 violation. The penalty for this violation shall be \$ 1,000.

(f) The following are the violations, categories and penalties pertaining to tubeless demountable adapter cracks:

1. Cracks at three or more spokes. This is a category 2 violation. The penalty for this violation shall be \$ 500.00.
2. Tubeless demountable adaptor cracks in (f)1 above caused by a rusted or other deterioration, or where rust is bleeding from crack(s) are a category 1 violation. The penalty for this violation shall be \$ 1,000.

(g) The following is the violation, category and penalty pertaining to fasteners:

1. Loose, missing, broken or cracked (both spoke and disc wheels) deemed ineffective as follows: for 10 fastener positions, three anywhere or two adjacent; for eight fastener

positions or less (including spoke wheels and hub bolts), two anywhere. This is a category 2 violation. The penalty for this violation shall be \$ 500.00 per wheel.

(h) The following are the violations, categories and penalties pertaining to welds:

1. Any cracks in welds attaching disc wheel disc to rim. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per wheel.

2. Any crack in welds attaching tubeless demountable rim to adapter. This is a category 2 violation. The penalty for this violation shall be \$ 100.00 per wheel.

3. Any welded repair on aluminum wheel(s) on a steering axle. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per wheel.

4. Any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the steering axle. This is a category 1 violation. The penalty for this violation shall be \$ 1,000 per wheel.

§ 16:53A-3.11 Windshield wipers

(a) Any power unit that has an inoperative wiper or damaged parts that render it ineffective on the driver's side is a category 2 violation. This violation is applicable only in inclement weather requiring use of windshield wipers. The penalty for this violation shall be \$ 200.00.

(b) Any power unit that has a missing wiper or missing parts that render it ineffective on the driver's side is a category 1 violation. This violation is applicable only in inclement weather requiring use of windshield wipers. The penalty for this violation shall be \$ 500.00.

§ 16:53A-3.12 Emergency exits (buses)

(a) The following are the violations, categories and penalties pertaining to emergency exits required by 49 CFR 393.61 that are missing, inoperative, or obstructed with passengers on board.

1. Missing emergency exits is a category 1 violation. The penalty for this violation shall be \$ 3,000 per emergency exit or emergency window exit.

2. Inoperative emergency exits which have not been intentionally made inoperative is a category 1 violation. The penalty for this violation shall be \$ 1,000 per emergency exit or emergency window exit.

3. Inoperative emergency exits which have intentionally been made inoperative. No emergency exit shall be wired shut or otherwise secured in the closed position so that it cannot be readily opened is a category 1 violation. The penalty for this violation shall be \$ 5,000 per emergency exit or emergency window exit.

4. Emergency exits with baggage, freight or express stowed in a manner that obstructs access to exits by any occupant of the bus is a category 2 violation. The penalty for this violation shall be \$ 500.00 per emergency exit.

5. Missing or illegible emergency exit signs and/or instructions. This is a category 2

violation. The penalty for this violation shall be \$ 300.00 per emergency exit.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

In (a), added 5.

§ 16:53A-4.1 Evidence of insurance; New Jersey companies

(a) For New Jersey companies operating intrastate pursuant to Certificates of Public Convenience and Necessity issued by the Commission or interstate pursuant to Federal authority issued by the ICC or its successor agency, the USDOT, Federal Highway Administration, satisfactory evidence of appropriate insurance shall consist of:

1. A Form E, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" filing with the New Jersey Motor Vehicle Commission, Commercial Bus Inspection Unit, pursuant to N.J.S.A. 48:4-19, 48:4-35 through 48:4-55, and N.J.A.C. 16:53-9.1; and

2. A Form F, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement" filing with the New Jersey Motor Vehicle Commission, Commercial Bus Inspection Unit, pursuant to N.J.S.A. 48:4-19, 48:4-35 through 48:4-55, and N.J.A.C. 16:53-9.1. In addition, every bus and autobus driver must have in his or her possession a valid insurance identification card for the vehicle.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Rewrote the section.

§ 16:53A-4.2 Evidence of insurance; out-of-State companies

For those bus and autobus operators that are transporting passengers interstate, but who are based outside New Jersey, satisfactory evidence of appropriate insurance shall consist of requisite liability insurance filings made with the FHWA (Form MCS 90B and Form MCS 828) or the former Federal regulatory agency, the Interstate Commerce Commission (ICC) (Form BMC-91 or 91X).

§ 16:53A-4.3 Failure to provide evidence of insurance

Failure to provide satisfactory evidence of appropriate insurance, as described in N.J.A.C. 16:53A-4.1 and 4.2, when a bus is operated on public highways or in public places in this

State, shall result in that vehicle being immediately placed out-of-service and held or impounded by authorized representatives of the Commission or by law enforcement authorities. The vehicle shall be held or impounded until evidence of appropriate insurance for that vehicle is on file with the Commission or the bus owner or operator otherwise meets applicable statutes or regulations.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Substituted "Commission" for "Department" throughout.

§ 16:53A-5.1 Placement out-of-service; impoundment

(a) When a bus is operated on public highways or in public places in this State with a bus safety out-of-service violations(s), whether in interstate or intrastate commerce, whether registered or not in this or any other jurisdiction, that vehicle:

1. Shall be placed out-of-service; or
2. Shall be held or impounded by authorized representatives of the Commission or by law enforcement authorities.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

In (a), substituted "Commission" for "Department" in 2.

§ 16:53A-5.2 Duration of impoundment

(a) The vehicle may be held or impounded:

1. Until appropriate repairs are made on site; or
2. Until towed by the owner or operator to an appropriate repair facility or maintenance garage so that repairs of all bus safety out-of-service violations can be made.

§ 16:53A-5.3 Operation of vehicle prohibited

The vehicle shall not be operated in this State until the defects are remedied and such remedial action is either certified or approved by representatives of the Commission.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Substituted "Commission" for "Department".

§ 16:53A-6.1 Direction to inspection facility; penalty for noncompliance

Any authorized representative of the Commission may direct any bus operated in this State to immediately proceed to a designated inspection facility for inspection. If a driver fails to immediately report as directed to the inspection facility, the operator shall be subject to a penalty of \$ 1,000.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Substituted "Commission" for "Department".

§ 16:53A-6.2 Examination of driver's operating credentials; medical certificates; duty status; hours of service; violations; penalties

(a) Any authorized representative of the Commission may demand and examine the driver's operating credentials.

(b) The following are the violations and penalties pertaining to medical certificates:

1. Driver not in possession of a medical certificate. The operator shall be subject to a penalty of \$ 100.00.
2. Falsification of a medical certificate. The operator shall be subject to a penalty of \$ 1,000.
3. Expired medical certificate. The operator shall be subject to a penalty of \$ 300.00.

(c) The following are the violations and penalties pertaining to driver's record of duty status and hours of service.

1. Driver not in possession of record of duty status. The operator shall be subject to a penalty of \$ 100.00.
2. Falsification of record of duty status. The operator shall be subject to a penalty of \$ 1,000.
3. Driver has no record of seven previous days of duty status. The operator shall be subject to a penalty of \$ 100.00.

4. Driver operating bus beyond limit of hours of service rules. The operator shall be subject to a penalty of \$ 100.00.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Designated existing paragraph as (a) and substituted "Commission" for "Department"; added (b) and (c).

§ 16:53A-6.3 Driver out-of-service violations; sanctions

(a) A driver shall be immediately placed out-of-service and shall not be permitted to continue driving a vehicle or any other bus or autobus if such driver:

1. Does not have a commercial driver's license (CDL);
2. Is in possession of an improper class CDL;
3. Is in possession of a CDL without proper endorsements, including the required passenger endorsement; or
4. Is operating a bus or autobus in violation of a duly noted CDL restriction.

(b) In addition to (a) above, the driver shall be subject to appropriate sanctions for the CDL violation(s) under N.J.S.A. 39:3-10.18.

§ 16:53A-6.4 Certificates of inspection; violations; penalties

(a) The following are the violations, categories and penalties pertaining to certificates of inspection:

1. Absence of certificate of inspection (inspection sticker). This is a category 1 violation. The operator shall be subject to a penalty of \$ 500.00.
2. Expired certificate of inspection (inspection sticker). This is a category 1 violation. The operator shall be subject to a penalty of \$ 500.00.

HISTORY:

New Rule, R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

§ 16:53A-7.1 Provision of notice to driver

An operator shall annually provide a notice to each driver employed by the operator containing a copy of the provisions of this subchapter.

§ 16:53A-7.2 Coercion of driver by operator; civil penalty

No operator shall compel, coerce or otherwise cause a driver to include false information on a vehicle inspection report. An operator violating this section shall be subject to a maximum civil penalty of \$ 5,000.

§ 16:53A-8.1 Penalty collection

Any penalty imposed pursuant to the Bus Safety Compliance Act, P.L. 1995, c.225, shall be collected, with costs, in a summary proceeding pursuant to the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

Inserted "of 1999" after "Penalty Enforcement Law" and amended the N.J.S.A. reference.

§ 16:53A-8.2 Jurisdiction to enforce penalty collection

(a) Jurisdiction to enforce the provisions of the Penalty Enforcement Law of 1999 in connection with the Bus Safety Compliance Act, P.L. 1995, c.225, resides in the Superior Court or municipal court of the county or municipality, respectively wherein:

1. The violation occurs;
2. The operator resides;
3. The operator has a place of business; or
4. The operator's principal office is located in this State.

HISTORY:

Amended by R.2004 d.331, effective September 7, 2004.

See: 36 New Jersey Register 1672(a), 36 New Jersey Register 4163(a).

In (a), inserted "of 1999" after "Penalty Enforcement Law" in the introductory paragraph.