



State of New Jersey

DEPARTMENT OF AGRICULTURE
HEALTH/AGRICULTURE BUILDING
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CHRISTINE TODD WHITMAN
Governor

January 11, 2000

ARTHUR R. BROWN, JR.
Secretary

TO: S. Howard Davis, NJ Nursery and Landscape Association
Peter Furey, NJ Farm Bureau
Lynn Matthews, NJ Equine Advisory Board
Phillip Traino, Vegetable Growers' Association of NJ, Inc.
James Etsch, Grain and Forage Producers Association of NJ
Dr. Henry Indyk, Cultivated Sod Association of New Jersey, Inc.
Bruce Barbour, Cook College, Department of Ag and Resource
Management Agents
Rutgers Cooperative Extension County Agricultural Agents

FROM: Arthur R. Brown, Jr. *AB*

SUBJECT: International Registration Plan (IRP) Reciprocity Agreement

Since April 1999 our department has worked cooperatively with the New Jersey Division of Motor Vehicles and Pennsylvania Department of Transportation in an effort to have a reciprocity agreement signed for IRP between the two states. In effect, the agreement would exempt New Jersey farmer plates from being apportionally registered. Such an agreement allows New Jersey farmers using a commercial vehicle with a farmer plate to travel into Pennsylvania and conduct business in the Commonwealth. I am pleased to provide you the enclosed copy of the IRP reciprocity agreement signed by Pennsylvania and New Jersey.

In reviewing the Agreement you will see that it does not specifically mention "farmer plates." However, Section II,C.2 of the agreement states that reciprocity interstate operations shall be granted to restricted plates when properly registered in the jurisdiction in which the vehicle is based. Under the IRP agreement, "restricted plates" include farmer plates.

I ask that you distribute copies of this document to your members and cooperators and advise them to carry it with them in any New Jersey 'farmer' plate vehicles which are used to conduct business in the state of Pennsylvania.

If you have questions on IRP, contact the NJ Division of Motor Vehicle Services at (609) 633-9400.

Enclosure

DEC 1999

AGREEMENT
BETWEEN
STATE OF NEW JERSEY
and
COMMONWEALTH OF PENNSYLVANIA

WHEREAS, the State of New Jersey and the Commonwealth of Pennsylvania seek to grant reciprocal recognition of motor vehicle registrations in the interstate and intrastate operation of vehicles; and

WHEREAS, the Director of the New Jersey Division of Motor Vehicles, Department of Transportation, has been authorized to enter into reciprocal agreements with the duly authorized representatives of other jurisdictions pursuant to N.J.S.A. 39:3-6.2; and

WHEREAS, the Secretary of the Pennsylvania Department of Transportation is authorized to enter into reciprocal agreements with other jurisdictions pursuant to 75 Pa.C.S.A. §§6141 and 6142; now therefore,

BE IT UNDERSTOOD AND AGREED by and between the State of New Jersey and the Commonwealth of Pennsylvania that, for and in mutual consideration of the mutual covenants herein, the parties agree as follows:

I. DEFINITIONS

The following words and phrases, when used in this Agreement will have the meanings set forth in this section, unless the context clearly indicates otherwise:

"Base" shall mean the location from which a vehicle is most frequently dispatched, where it is most frequently garaged, serviced, maintained, operated or otherwise controlled and from which it ordinarily departs and to which it ordinarily returns.

"Bus" shall mean a motor vehicle designed for carrying more than ten (10) persons, including the driver, and used for the transportation of persons; or, a motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation; "Bus" shall not mean a vehicle owned by a natural person or by a school, a religious organization or a tax-exempt charitable organization and used solely for non-commercial purposes;

"Carrying on business" shall mean operating a commercial vehicle in the furtherance of any commercial enterprise, whether or not for hire;

"Charter party" shall mean a group of persons who have acquired the exclusive use of a passenger carrying vehicle to travel together as a group to a specified destination or in accordance with a particular itinerary, under a single contract and at a fixed charge for the vehicle in accordance with the carrier's tariff lawfully on file with the United States Department of Transportation;

"Commercial vehicle" shall mean a vehicle or combination of vehicles designed and used for the transportation of persons or property in carrying on business;

"Government" shall mean the federal, state, or local government or that of Canada or its provinces and territories;

"Interstate Operation" shall mean the transportation of passengers or property between or through two or more jurisdictions;

"Intrastate Operation" shall mean the transportation of passengers or property having an origin and destination within the same jurisdiction;

"Jurisdiction" shall mean a state, district, territory or possession of the United States, a province or territory of Canada or a foreign country,

"Lessee" shall mean a person who leases a vehicle and has legal possession of and exclusive use and control of such vehicle;

"Non-Commercial Vehicle" shall mean a vehicle other than a commercial vehicle, designed for carrying ten passengers or fewer, including the driver, and primarily used for the transportation of persons;

"Reciprocity" shall mean the recognition of the licensing and registration of a vehicle registered in another jurisdiction and the exemption of said vehicle from further licensing or registration in the jurisdiction in which the said vehicle is operating;

"Registration" shall mean the authority for a vehicle to operate on a highway as evidenced by the issuance of an identifying document and plate or plates, including temporary credentials for use pending issuance of a permanent license;

"Restricted Plate" shall mean a registration plate that is issued for a shorter period than a registration year, or that has geographic area, mileage or commodity restrictions, and shall include registrations issued for special vehicle movements;

"Vehicle" shall mean any device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

II. ELEMENTS OF RECIPROCITY

A. Reciprocity for interstate and intrastate operation shall be granted to the following types of vehicles:

1. Non-commercial vehicles properly registered in the jurisdiction in which the owners are legal and bona fide residents for registration purposes. Students who are residents of reciprocating jurisdictions and who are currently enrolled in a school in another jurisdiction may continue to operate their non-commercial vehicles with registration plates issued by the jurisdiction in which they originally resided.
2. Properly registered vehicles owned or operated by schools, religious or tax exempt charitable organizations.
3. Properly registered vehicles owned or operated by government agencies and being operated in an official capacity.
4. Properly registered vehicles owned by dealers and manufacturers provided that such vehicles are in stock, available for sale, testing or demonstration, and that all vehicles capable of carrying a load are unladen.

5. Properly registered non-commercial vehicles owned by military personnel on active duty or their spouses.
- B. Temporary reciprocity for interstate and intrastate operation for the period of time hereinafter specified shall be granted to the following types of vehicles:
1. Vehicles with hunter permits as provided in the International Registration Plan for facilitating the movement of the vehicle from one lessee to another for the period of time such permits are valid.
 2. Properly registered buses transporting charter parties for a period not to exceed 30 days.
 3. Non-commercial vehicles with properly issued temporary registration tags for the period of time such tags are valid.
- C. Reciprocity for interstate operations shall be granted to the following types of vehicles when properly registered in the jurisdiction in which the vehicle is based:
1. Properly registered buses transporting charter parties.

- * 2. Vehicles displaying restricted plates, as identified in Appendix 5 of the International Registration Plan, Inc. Information Manual, 528-99. Should any restricted plate be added to this list subsequent to the entry of this agreement, approval to include that plate within this agreement must be given by both New Jersey and Pennsylvania.
- 3. Commercial vehicles weighing 26,000 pounds or less, except those required to be registered through the International Registration Plan or operated by a person or company who owns and operates any type of facility within the jurisdiction in which the vehicle is being operated.

III. OPERATIONAL LIMITATIONS

This Agreement shall not authorize the operation of any vehicle or combination of vehicles upon the highways of either jurisdiction in excess of the maximum weight, width, length or height allowed by the laws of the jurisdiction in which the vehicle is being operated, or contrary to any other provision of the duly enacted statutes or administrative rules and regulations of that jurisdiction. Violation of said law by any owner or operator or agent thereof shall constitute grounds for suspension or revocation of benefits granted herein.

The signatory jurisdictions reserve the right to cancel the benefits of this Agreement as to any individual operator or owner or carrier for failure to comply with any requirements of this Agreement.

IV. INTERPRETATION

The final decision regarding interpretation of questions at issue relating to this Agreement shall be reached by joint action by the Director of the New Jersey Division of Motor Vehicles, Department of Transportation, and the Secretary of the Commonwealth of Pennsylvania Department of Transportation. Any such interpretations shall be placed in writing and become a part hereof.

V. AMENDMENTS

This agreement may be amended by joint action of the Director of the New Jersey Division of Motor Vehicles, Department of Transportation and the Secretary of the Commonwealth of Pennsylvania Department of Transportation. Such amendments shall be placed in writing and become a part hereof.

VI. OTHER AGREEMENTS

Except with respect to the International Registration Plan, this Agreement shall supersede any reciprocal or other agreement, arrangement or understanding covering, in whole or in part, any of the matters covered in this Agreement between the parties; but this Agreement shall not affect any reciprocal or other agreement, arrangement or understanding that the signatory jurisdictions have entered into with any other jurisdiction.

VII. EFFÉCTIVE DATE

This Agreement shall become effective upon execution by the signatory jurisdictions and shall continue in full force and effect until canceled or revoked by proper officials of the signatory jurisdictions.

VIII. TERMINATION

This Agreement may be canceled or revoked by either signatory's giving thirty (30) days written notice to the other signatory jurisdiction that it will no longer be bound by its terms.

IN WITNESS WHEREOF, both parties have caused this instrument to be signed,
attested and sealed.

Attest:

Yvonne M. Bekelja

The foregoing document has
been reviewed and approved
as to form.

John J. Farmer, Jr.
Attorney General of New Jersey

By:

Sue Kleinberg
Deputy Attorney General

Attest:

Jacqueline Trausi

JACQUELINE TRAUSI
SECRETARY
Department of Transportation

SECRETARY OF TRANSPORTATION
COMMONWEALTH OF PENNSYLVANIA

By:

Greg Z. Miller

DIRECTOR, DIVISION OF MOTOR VEHICLES,
ASSISTANT COMMISSIONER
DEPARTMENT OF TRANSPORTATION

C. Richard Kamin
C. Richard Kamin

COMMISSIONER, DEPARTMENT
OF TRANSPORTATION

James Weinstein
James Weinstein