



New
Jersey
Department of
Environmental
Protection

COMPLIANCE ADVISORY

Enforcement Alert

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

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Annual Emission Inspection Required for Tow Trucks and Roll-Back Vehicle Transporters

All owners of tow trucks and roll-back vehicle transporters that operate diesel-powered vehicles must comply.

All owners or operators of heavy-duty diesel-powered tow trucks, roll-back vehicle transporters, or any type of towing service vehicle, are required to have these vehicles inspected each year for smoke emissions. Heavy-duty diesel-powered vehicles are 18,000 pounds or more, gross weight, and include delivery, utility, dump and garbage trucks, buses and school buses, and work vehicles of all types. Only publicly owned fire, police, ambulance and emergency vehicles, such as first aid and rescue vehicles, are exempt.

Why is DEP focusing on diesel-powered tow trucks?

Diesel exhaust is a toxic substance that has been found to exacerbate or cause serious health effects including allergies, asthma, respiratory diseases, cancer, and in some cases even premature death. NJDEP inspectors have encountered several tow trucks that have not been inspected as required. Possible explanations may be: 1- a misinterpretation of the self-inspection regulation, which is applicable to diesel-powered vehicles with a gross weight of 10,000 to 17,999 pounds; 2- confusion with the annual federal safety inspection for commercial vehicles, or; 3- a misinterpretation of the emergency vehicle exemption. Only emergency vehicles that are **publicly owned** are exempt from the annual inspection requirement. Therefore: privately owned and/or commercially registered tow trucks of all types must be inspected annually for smoke opacity.

What is DEP doing?

DEP is reaching out to tow truck owners and operators to clarify the exemption for emergency vehicles. Unless these vehicles are publicly owned, they must be inspected annually for emissions. State Police and Motor Vehicle inspection teams will be on the look out for vehicles that have not been inspected. Tow trucks are subject to random roadside testing, in addition to the annual inspection, and may be liable for penalties and enforcement action for failing the test, not being inspected, or both. Violations are placed upon *owner* or *lessee*, not the *driver*. The fine for a first offense is \$700, reducible to \$150, with proof of repair. For second and subsequent offenses the fine is \$1300, reducible to \$500 with proof of repair. Failure to comply with the annual inspection requirement carries a fine of \$500.

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What should I do?

The following is a general list of things to check to ensure compliance and is by no means a complete list of requirements with which you need to comply.

- Check with the person in charge of your vehicles, such as the fleet manager, vehicle or transportation coordinator.
- Determine which of your vehicles must be inspected, and make arrangements to have them inspected as soon as possible by a licensed Diesel Emission Inspection Center (DEIC).
- For your convenience, some DEICs have been authorized by the Motor Vehicle Commission to perform inspections at your facility.

Who should I contact with questions?

To find a nearby inspection center, check the Motor Vehicle Commission website at http://njgin.nj.gov/OIT_MVCF/facilities.jsp?fac=deic, or call 609-292-5330.

If you need further information regarding which of your vehicles may be exempt from the inspection requirement, contact the NJDEP Enforcement's Diesel Emissions Unit at **609-292-6429** or email ralph.bitter@dep.state.nj.us.

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

NJDEP, Diesel Inspection & Maintenance Program <http://www.nj.gov/dep/dieselim/>

NJ Motor Vehicle Commission-Understanding Diesel Emission Inspection
<http://nj.gov/mvc/Inspections/UnderstandingDiesel.htm>

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the **Diesel Emission Unit** at the number listed above.