TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Executive and Administrative Service

Readoption with Amendments: N.J.A.C. 13:18

Proposed: August 4, 2025, at 57 N.J.R. 1673(a).
Adopted: January 27, 2026, by the Motor Vehicle Commission, Rosalie Johnson, Acting Chair and Chief Administrator.
Filed: January 27, 2026, as R.2026 d.048, **without change**.

Authority: N.J.S.A. 17:33B-41, 39:2-3, 39:2-3.3 et seq., 39:2A-13.a(6), 39:2A-28; 39:2A-33.c, 39:2A-33.e, 39:2A-36.1, 39:3-4e, 39:3-6.12.b, 39:3-20, 39:3-43, 39:3-84, 39:5-30, 39:6-25, 39:6-50, 39:6-86.1, 39:6-86.4, 47:1A-1 et seq., 52:14B-1 et seq., 52:14B-3(1), and 54:39A-24.

Effective Dates: January 27, 2026, Readoption; July 20, 2026, Amendments.
Expiration Date: January 27, 2033.

Summary of Public Comment and Agency Response:
No comments were received.

Federal Standards Statement

N.J.A.C. 13:18-1, Permits for Overdimensional and Overweight Vehicles, is aligned with Federal law (23 U.S.C. § 127) that establishes the Federal overall gross maximum weight limitation of 80,000 pounds for vehicles using the system of interstate and defense highways. The Federal legislation sets forth certain exceptions:

"... Provided, That such overall gross weight may not exceed eighty thousand pounds, including all enforcement tolerances, ... except for those vehicles and loads which cannot be easily dismantled or divided and which have been issued special permits in accordance with applicable State laws ..."

Section 127, therefore, authorizes exceptions to the maximum gross weight limitation for those vehicles and loads that cannot be easily dismantled or divided and which have been issued special permits in accordance with applicable State laws. N.J.S.A. 39:3-84, which establishes an overall gross maximum weight limitation of 80,000 pounds consistent with 23 U.S.C. § 127, provides in part:

"d. The Chief Administrator of the New Jersey Motor Vehicle Commission may promulgate rules and regulations, including the establishment of fees, for the issuance, at his discretion and if good cause appears, of a special written permit authorizing the applicant:

(1) To operate or move a vehicle or combination of vehicles or special mobile equipment, transporting one piece loads that cannot be dismembered, dismantled or divided in order to comply with the weight limitations set forth in this act ..."

The Chief Administrator's exercise of discretion to issue a special overweight permit pursuant to N.J.A.C. 13:18-1, authorizing an exception to the 80,000 pound maximum weight limitation, is consistent with the exception authorized by the above-referenced Federal law. N.J.A.C. 13:18-1, pertaining to permits for overdimensional and overweight vehicles, is consistent with Federal law and does not impose requirements that exceed Federal standards. Further, the requirements at N.J.A.C. 13:18-1.2 do not impose requirements that exceed Federal standards, as they are based upon the recent Federal law entitled Fixing America's Surface Transportation Act (FAST Act) (P.L. 114-94), as approved by the President on December 4, 2015.

N.J.A.C. 13:18-2, International Registration Plan, and 3, International Fuel Tax Agreement Implementation, do not impose compliance requirements that exceed Federal standards. These subchapters provide for the reciprocal registration of commercial vehicles used in interstate commerce and for the reciprocal payment of motor fuel use taxes by owners of commercial vehicles used in interstate commerce in accordance with State laws that have been enacted to comply with the Federal Intermodal Surface Transportation Efficiency Act, 49 U.S.C. § 4008.

A Federal standards analysis is not required for N.J.A.C. 13:18-4, Rulemaking Petition Procedures, because the subject matters in those subchapters are authorized pursuant to State law and are not subject to any Federal requirements or standards.

A Federal standards analysis is not required for N.J.A.C. 13:18-6, Insurance Verification, or 9, Uninsured Motorists, because the subject matters in those subchapters are authorized pursuant to State law (N.J.S.A. 17:33B-41, 39:3-4.e, 39:6-25, 39:6-86.1, and 39:6-86.4) and are not subject to any Federal requirements or standards.

A Federal standards analysis is not required for N.J.A.C. 13:18-10, Advertising on Commission Equipment, Facilities, and Property, because the subject matters in those subchapters are authorized pursuant to State law and are not subject to any Federal requirements or standards.

N.J.A.C. 13:18-11, Organization of the Motor Vehicle Commission, provides, in part, for the inspection, copying, examination, and purchase of government records of the Commission. N.J.A.C. 13:18-11.3(f) sets forth requestor identification and request procedural requirements that comport with the New Jersey Drivers' Privacy Protection Act (see N.J.S.A. 39:2-3.4.b). N.J.A.C. 13:18-11.3(f) requires the presentation of identification by the requestor as specified in the rule and provides for the completion and submission of a request form that includes the requestor's name and address; the requestor's driver license number or corporate identification number; the requestor's reason for requesting the record (which by statute may also include documentary evidence supporting the reason for the request); the driver's license number or the name, address, and birth date of the person whose driver record is requested; the license plate number or VIN number of the vehicle for which a record is requested; and a description of the information the requestor is seeking in order to ensure that a copy of the appropriate record is provided. The requestor identification and request procedural requirements effectuate the New Jersey Drivers' Privacy Protection Act (N.J.S.A. 39:2-3.4) to protect the privacy rights of the citizens of New Jersey and to maintain in force New Jersey's long-standing prohibition against the use of personal information from motor vehicle records for political and commercial solicitation and marketing purposes. The New Jersey Drivers' Privacy Protection Act (N.J.S.A. 39:2-3.3 through 39:2-3.7) was enacted on August 5, 1997 and is more restrictive than the Federal Drivers' Privacy Protection Act of 1994, 18 U.S.C. §§ 2721 et seq., in matters relating to the use of motor vehicle records for commercial solicitation and marketing purposes.

The amendments at N.J.A.C. 13:18-1.2(g) do not impose requirements that exceed Federal standards as they are based upon the recent change in Federal law at 23 U.S.C. § 127(s), allowing for the inclusion of electric battery-powered vehicles. The amendments at N.J.A.C. 13:18-11.1 pertaining to the Motor Vehicle Commission's organizational structure that are included in this rulemaking are authorized pursuant to State law and are not subject to any Federal requirements or standards.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:18.

Full text of the adopted amendments follows:

SUBCHAPTER 1. PERMITS FOR OVERDIMENSIONAL OR OVERWEIGHT VEHICLES

13:18-1.2 Requirement of permit

(a)-(f) (No change.)

(g) Consistent with 23 U.S.C. § 127(s), permits will be issued up to 82,000 pounds for a vehicle fueled primarily by natural gas or a vehicle powered primarily by means of electric battery power.

(h)-(j) (No change.)

SUBCHAPTER 11. ORGANIZATION OF THE MOTOR VEHICLE COMMISSION

13:18-11.1 Motor Vehicle Commission organizational structure

(a)-(b) (No Change.)

(c) The Motor Vehicle Commission has Assistant Administrators overseeing organizational units, as follows:

1. Financial Operations;
2. Employee Services;
3.-8. (No change.)
9. Agency and Motorist Services;
10.-11. (No change.)
12. Motor Carrier Services; and
13. (No change.)