

a certification of the smoke opacity-related repairs or other non-tampering emission-related repairs to the vehicle that is satisfactory to the court and in compliance with emission standards. The certification of compliance and repairs shall consist of the following:

1.-3. (No change.)

(e) (No change.)

(f) A defendant who is charged with a violation of N.J.S.A. 39:8-62 with regard to the operation of a heavy-duty diesel truck, diesel powered motor vehicle, or diesel bus and who is permitted to waive appearance and plead guilty by mail shall also be permitted to submit the certification of emission-related repairs and compliance with emission standards by mail. If the court deems the certification to be inadequate, it shall afford the defendant the option to withdraw the guilty plea.

(g) (No change.)

(h) The operator of a heavy-duty diesel truck, diesel powered motor vehicle, or diesel bus who fails to comply with any direction given by an enforcement officer or who refuses to submit or resists submitting a vehicle under the operator's control for roadside inspection, or who fails to comply with any other obligation imposed upon that person as part of the roadside diesel emission inspection program shall be jointly and severally liable with the owner and the lessee, if any, of the vehicle for a civil penalty of \$500.00; provided, however, that the New Jersey Transit Corporation shall not be liable for any such civil penalty if the diesel bus that is the subject of the violation is operated by a lessee or contractor, or any employee or agent of a lessee or contractor, of the New Jersey Transit Corporation.

(i) The owner and the lessee, if any, of a heavy-duty diesel truck or diesel bus subject to periodic inspection who fails to submit such vehicle for periodic inspection or who fails to effect repairs on a vehicle that has failed periodic inspection shall be liable for a civil penalty of \$500.00. The New Jersey Transit Corporation shall not be liable for any such civil penalty if the diesel bus that is the subject of the violation is operated by a lessee or contractor, or any employee or agent of a lessee or contractor, of the New Jersey Transit Corporation.

(j) The owner and the lessee, if any, of a heavy-duty diesel truck, diesel powered motor vehicle, or diesel bus who disconnects, detaches, deactivates, or in any way renders inoperable or less effective an element of design or the exhaust system, including the emission control apparatus and the exhaust aftertreatment apparatus, except temporarily for the purpose of diagnosis, repair, replacement, or maintenance, shall be liable for a civil penalty of \$500.00. The New Jersey Transit Corporation shall not be liable for any such civil penalty if the diesel bus that is the subject of the violation is operated by a lessee or contractor, or any employee or agent of a lessee or contractor, of the New Jersey Transit Corporation.

(k) The owner and the lessee, if any, of a diesel powered motor vehicle who disconnects, detaches, deactivates, or in any way renders inoperable or less effective, an element of design or exhaust system, including the emission control apparatus and exhaust aftertreatment apparatus, except temporarily for the purpose of diagnosis, repair, replacement, or maintenance shall be subject to re-inspection at a State specialty inspection facility. The Chief Administrator may suspend the registration privileges of an owner or lessee for failure to re-inspect the failed vehicle within 45 days of the occurrence of the violation.

**(a)**

**MOTOR VEHICLE COMMISSION  
LICENSING SERVICE**

**License and Registration Renewals, Duplicates,  
Interim Driver Licenses, and Non-Driver  
Identification Cards and Restorations**

**Adopted Amendments: N.J.A.C. 13:21-9.5, 9.6, 9.7,  
9.9, 9.10, 9.11, 9.12, and 9.14**

**Adopted New Rules: N.J.A.C. 13:21-9.7 and 9.8**

Proposed: April 1, 2019, at 51 N.J.R. 464(a).

Adopted: August 8, 2019, by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Filed: September 10, 2019, as R.2019 d.108, **without change**.

Authority: N.J.S.A. 39:2-3, 39:2-3.8, 39:2A-28, 39:3-4, and 39:3-31.

Effective Date: October 7, 2019.

Expiration Date: December 4, 2020.

**Summary of Public Comment and Agency Response:**

**No comments were received.**

**Federal Standards Statement**

A Federal standards analysis is not required because the subject matter of the adopted amendments and new rules is authorized under State law and is not subject to Federal requirements or standards.

**Full text of the adoption follows:**

**SUBCHAPTER 9. LICENSE AND REGISTRATION RENEWALS,  
DUPLICATES, INTERIM DRIVER LICENSES  
AND NON-DRIVER IDENTIFICATION CARDS,  
AND RESTORATIONS**

**13:21-9.5 Definitions**

As used in N.J.A.C. 13:21-9.5 through 9.18, the following words and terms shall have the following meanings:

“Applicant” means an individual who chooses to renew, or obtain a duplicate of, a vehicle registration, driver license, or non-driver identification card online through the Internet.

...

“Interim commercial driver license class A, B, C” means an interim document issued by the Commission that allows the holder to operate a class A, B, or C commercial vehicle, as defined at N.J.A.C. 13:21-8.22(a), until the holder receives his or her permanent commercial driver license by mail or until the license expires, unless the holder's driving privileges are suspended, cancelled, or revoked. An interim commercial driver license class A, B, C shall not be valid for more than 30 days, unless extended by the Chief Administrator for good cause.

“Interim commercial learner permit” means an interim document issued by the Commission that allows the holder to operate as a commercial vehicle learner until the holder receives his or her permanent commercial learner permit by mail or until the card expires, unless the holder's driving privileges are suspended, cancelled, or revoked. An interim commercial learner permit shall not be valid for more than 30 days, unless extended by the Chief Administrator for good cause.

“Interim driver license class D, E, F, G, boat” means an interim document issued by the Commission that allows the holder to operate a class D, E, F, and G vehicle or a boat, as defined at N.J.A.C. 13:21-8.22(a), until the holder receives his or her permanent driver license by mail or until the card expires, and unless the holder's operating privileges are suspended, cancelled, or revoked. An interim driver license class D, E, F, G, boat shall not be valid for more than 30 days, unless extended by the Chief Administrator for good cause.

“Interim registration” means an interim document issued by the Commission that shall serve as valid proof of vehicle registration, only until the holder receives his or her permanent registration by mail or until the document expires. An interim registration shall not be valid for more than 30 days.

“Non-driver identification card receipt” means a document indicating payment for a renewal or duplicate non-driver identification card issued by the Commission. The receipt is valid until the expiration date, unless the holder's right to a non-driver identification card is suspended, cancelled, or revoked. A non-driver identification card receipt shall not be valid for more than 30 days, unless extended by the Chief Administrator for good cause.

“Personal information” means information that identifies an individual, including an individual's photograph, Social Security number, driver identification number, name, address other than the five-digit zip code, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

...

“Vehicle” means a private passenger automobile, motorcycle, private utility trailer, house-type semi-trailer, house-type trailer, and non-commercial vessel.

13:21-9.6 Application for renewal or duplicate of vehicle registration in electronic or digital form; eligibility

(a) An application for renewal of a vehicle registration or duplicate of a vehicle registration may be submitted to, and processed by, the Commission in electronic or digital form through the use of a point-and-click menu through a web browser over the Internet, but only in the manner specifically provided for in N.J.A.C. 13:21-9.5 through 9.18, and authorized by N.J.S.A. 39:2-3.8.

(b) (No change.)

(c) Only the primary owner of the vehicle can obtain an online duplicate registration and only four family duplicates and five duplicates per transaction will be issued. A registration holder is only eligible to obtain a duplicate of their registration by online, electronic, and/or digital means if:

1.-2. (No change.)

(d) The following registrations are eligible for online, electronic, and/or digital registration duplicates:

1.-2. (No change.)

3. Motorcycle and autocycle registrations; and

4. (No change.)

(e) The following registrations are ineligible for online, electronic, and/or digital duplicate registrations:

1. (No change.)

2. Surrendered registration plates;

Recodify existing 4.-5. as 3.-4. (No change in text.)

5. Registrations where registration plates are marked as lost or stolen;

6. Commercial registrations;

7. No-fee plate registrations;

8. Registrations on which an address change has been made within 14 business days before or after the date of the duplicate registration transaction; and

9. Registrations in the name of deceased persons.

(f) The following information is required to complete an online duplicate registration transaction:

1. A valid Social Security number;

2. A valid license plate number;

3. A valid electronic mail address; and

4. Valid insurance information for the vehicle, including the name of the insurance company and policy number.

(g) (No change in text.)

13:21-9.7 Application for renewal or duplicate of driver license in electronic or digital form; eligibility

(a) An application for renewal or a duplicate of a driver license may be submitted to, and processed by, the Commission in electronic or digital form through the use of a point-and-click menu through a web browser over the Internet, but only in the manner specifically provided for at N.J.A.C. 13:21-9.5, 9.6, 9.8 through 9.18, and this section and authorized by N.J.S.A. 39:2-3.8. A licensee is prohibited from making an online address change for 30 calendar days from the date of an online license renewal. An applicant for an online duplicate driver license must certify that the original driver license for which a replacement is sought, has been destroyed, lost, or stolen.

(b) Application for renewal or a duplicate of a driver license must be made in the manner and form provided by the Commission and accompanied by the applicable fee.

(c) The following driver licenses are eligible for online, electronic, and/or digital renewal:

1. A basic and probationary driver license;

2. A motorcycle license;

3. A moped license;

4. A boat license; and

5. A REAL ID driver license within the classes set forth in (c)1, 2, 3, and 4 above.

(d) The following driver licenses are ineligible for online, electronic, and/or digital renewal:

1. An examination permit, special learner permit, commercial learner permit, and graduated driver license;

2. A commercial driver license classifications A, B, and C;

3. An agricultural license;

4. A temporary license;

5. Any license on which an address has been changed within the last 30 calendar days;

6. A suspended driver license;

7. A standard driver license that has been expired for more than three years or an expired REAL ID driver license;

8. A cancelled driver license;

9. A driver license where the licensee has died since the issuance of the original license;

10. A driver license with a temporary visa restriction;

11. A driver license where the licensee has an ignition interlock requirement;

12. A driver license that is not within three months of the expiration date; and

13. A driver license where the record does not contain a valid Social Security number.

(e) In addition to (d) above, a licensee is ineligible for online, electronic, and/or digital renewal in the following circumstances:

1. A licensee has a driver license or non-driver identification card from any other state, province, territory, or country;

2. A licensee's driving privilege is suspended in any other state, province, territory, or country; or

3. A licensee is over six months behind in child support and/or court-ordered health care payments, is subject to a child support warrant, or is in violation of a subpoena relating to a paternity or child support action.

(f) The following information is required to complete an online driver license renewal transaction:

1. A renewal form received by the licensee by mail;

2. A valid Social Security number;

3. A valid driver license number; and

4. A valid electronic mail address.

(g) The following driver licenses are eligible for an online, electronic, and/or digital duplicate:

1. A commercial driver license classifications A, B, and C;

2. A basic and probationary driver license;

3. A motorcycle license;

4. A moped license;

5. An agricultural license;

6. A boat license; and

7. A REAL ID driver license within the classes set forth in (g)1 through 6 above.

(h) The following driver licenses are ineligible for an online, electronic, and/or digital duplicate:

1. An examination permit, special learner permit, and commercial learner permit;

2. Any license on which an address has been changed within the last 30 calendar days;

3. A suspended driver license;

4. A standard driver license that has been expired for more than three years or an expired REAL ID license;

5. A cancelled driver license;

6. A driver license where the licensee has died since the issuance of the original license;

7. A driver license with a temporary visa restriction;

8. A driver license where the licensee has an ignition interlock requirement;

9. A driver license where the record does not reflect a valid facial recognition status; and

10. A driver license that is more than 90 days prior to expiration.

(i) In addition to (h) above, a licensee is ineligible to obtain an online, electronic, and/or digital duplicate in the following circumstances:

1. A licensee has a driver license or non-driver identification card from any other state, province, territory, or country;

2. A licensee's driving privilege is suspended in any other state, province, territory, or country; or

3. A licensee is over six months behind in child support and/or court-ordered health care payments, is subject to a child support warrant, or is in violation of a subpoena relating to a paternity or child support action.

(j) The following information is required to complete an online duplicate transaction:

1. A valid Social Security number;
2. A valid driver license number; and
3. A valid electronic mail address.

(k) The Commission may reject any application for the renewal or a duplicate of a driver license, and may require a personal appearance at an agency, if the Commission has information that the licensee has misrepresented eligibility for a driver license in any manner. A licensee may only apply for one online duplicate transaction in a single day, and only two online duplicate driver licenses per single four-year cycle will be issued. Address changes shall be prohibited for 14 days after an online duplicate driver license transaction. Obtaining a duplicate driver license after a licensee's 21st birthday will not remove the vertical, probationary license details on the license and will not upgrade the probationary license to a standard license.

13:21-9.8 Application for renewal or duplicate of non-driver identification card in electronic or digital form; eligibility

(a) An application for renewal or duplicate of a non-driver identification card may be submitted to, and processed by, the Commission in electronic or digital form through the use of a point-and-click menu through a web browser over the Internet, but only in the manner specifically provided for in N.J.A.C. 13:21-9.5, 9.6, 9.7, 9.9 through 9.18, and this section and authorized by N.J.S.A. 39:2-3.8. An applicant is prohibited from making an online address change for 30 calendar days after the date of an online non-driver identification card renewal or duplicate. An applicant for an online duplicate non-driver identification card must certify that the original non-driver identification card for which a replacement is sought has been destroyed, lost, or stolen.

(b) Application for renewal or a duplicate of a non-driver identification card must be made in the manner and form provided by the Commission and accompanied by the applicable fee.

(c) The following non-driver identification cards are ineligible for online, electronic, and/or digital renewal:

1. A non-driver identification card receipt;
2. A non-driver identification card scheduled for suspension;
3. A standard non-driver identification card that has been expired for more than three years or an expired REAL ID non-driver identification card;
4. A non-driver identification card where the card holder has died since the issuance of the original non-driver identification card;
5. A non-driver identification card with a temporary visa restriction;
6. A non-driver identification card that is not within three months of the expiration date;
7. A non-driver identification card where the record does not contain a valid facial recognition status; and
8. A non-driver identification card where the record does not contain a valid Social Security number.

(d) The following information is required to complete an online non-driver identification card renewal transaction:

1. A renewal form received by the cardholder by mail;
2. A valid Social Security number; and
3. A valid electronic mail address.

(e) The following non-driver identification cards are ineligible for online, electronic, and/or digital duplicates:

1. A non-driver identification card receipt;
2. A non-driver identification card scheduled for suspension;
3. A standard non-driver identification card that has been expired for more than three years or an expired REAL ID non-driver identification card;
4. A cancelled non-driver identification card;
5. A non-driver identification card where the cardholder has died since the issuance of the original non-driver identification card;
6. A non-driver identification card with a temporary visa restriction;
7. A non-driver identification card that is not within three months of the expiration date;

8. A non-driver identification card where the record does not reflect a valid facial recognition status; and

9. A non-driver identification card where the record does not contain a valid Social Security number.

(f) The following information is required to complete an online non-driver identification card duplicate transaction:

1. A valid Social Security number; and
2. A valid electronic mail address.

(g) The Commission may reject any application for the renewal or a duplicate of a non-driver identification card, and may require a personal appearance at an agency, if the Commission has information that the applicant has misrepresented eligibility for a non-driver identification card in any manner. An applicant for a duplicate or renewal of a non-driver identification card is prohibited from making an online address change for 30 calendar days before the date of an online renewal or duplicate. Address changes shall be prohibited for 14 days after an online duplicate non-driver identification card transaction. Only one online duplicate transaction may be completed by an applicant in a single day, and only two online duplicate non-driver identification cards per a single four-year cycle will be issued.

13:21-9.9 Content of application; signature; false entry

(a) An applicant shall supply all information requested by the Commission during the electronic renewal and duplicate process. As authorized by N.J.S.A. 39:2-3.8, the signature of an applicant shall be deemed affixed to all information submitted electronically. In addition, upon application for a duplicate registration, driver license, or non-driver identification card, the applicant must certify that the original document he or she is seeking to replace has been destroyed, lost, or stolen, or alternately that the holder requires a duplicate registration certificate for use by members of his or her family.

(b) The system utilized by the Commission shall include adequate provision for verification, certification, witnessing, or other formal requirements that must be met with respect to documents or other information permitted by the Chief Administrator to be submitted in electronic or digital form. The system utilized by the Commission shall also include safeguards deemed necessary by the Chief Administrator to protect the privacy and prevent the improper access to and disclosure of any personal information that may be transmitted in an electronic or digital form or processed electronically.

(c) (No change.)

(d) The electronic or digital application for a duplicate registration, driver license or non-driver identification card, and renewal of a registration, driver license, or non-driver identification card, shall require online authentication and shall also include, at a minimum, the following:

1. A certification that the original duplicate vehicle registration, driver license, or non-driver identification card has been destroyed, lost, or stolen, or in the case of a duplicate registration, as applicable, a statement to the Commission that the registration holder requires a duplicate registration certificate for use by members of his or her family; and
2. (No change.)

13:21-9.10 (No change in text.)

13:21-9.11 Verification of current mailing address

An applicant who chooses to renew and/or obtain a duplicate vehicle registration, driver license, or non-driver identification card electronically through the Internet shall verify or provide the applicant's address as part of the registration, renewal, and/or duplicate application process.

13:21-9.12 Submission of Social Security number

An applicant shall enter the applicant's full Social Security number as part of the registration, driver license and non-driver identification card renewal, and/or duplicate application process. Disclosure of the applicant's Social Security number is mandatory under N.J.A.C. 13:21-1.3.

13:21-9.13 Inability or refusal to provide all information requested

An applicant who cannot or will not fully provide required information or an applicant who will not acknowledge or certify, when required, the accuracy of information provided, shall not be able to renew or obtain

duplicates of his or her vehicle registration, driver license, or non-driver identification card through the Internet.

13:21-9.14 Extension of prior registration for timely renewal through the Internet; interim duplicate registration; and interim driver license and non-driver identification card receipt

(a) An applicant who has accurately and timely completed a registration renewal process through the Internet, but who does not receive a renewed registration document from the Commission before the date on which the applicant’s prior registration document expires, shall be issued an interim registration by the Chief Administrator, in accordance with the provisions of N.J.S.A. 39:3-4 and 39:2-3. The interim registration shall expire upon receipt by the applicant of the renewed registration document or the passage of 30 days from the original expiration date, whichever is earlier, unless the Chief Administrator expressly determines otherwise.

(b) Upon successful completion of an online duplicate registration transaction, a printable receipt and interim registration will be made available to the applicant and will also be sent to the applicant by encrypted electronic mail. The receipt and interim registration is valid for 30 days from the date of the online electronic transaction and shall contain, at a minimum, an expiration date, the owner’s name and co-owner’s name, if applicable, an address, the year, type and make of the vehicle, the vehicle identification number, the vehicle registration plate number, and the date, time, and confirmation number of the transaction. The receipt and interim registration is valid as proof of vehicle registration only, and it expires on the date shown on the document, unless extended. The receipt and interim registration shall not be used to transfer vehicle ownership or to request a duplicate certificate of ownership.

(c) Upon successful completion of an online renewal of a driver license, a printable interim driver license will be made available to the licensee, and will also be sent to the licensee by encrypted electronic mail. The interim driver license is valid for 30 calendar days from the date of the online electronic transaction. The interim license shall contain, at a minimum, issuance and expiration dates, transaction identification and type, the licensee’s full name, address, date of birth, and driver license number and class, endorsements and restrictions, organ donor status if the licensee is an organ donor, a signature line for the licensee to sign the interim license, and a barcode. An interim driver license cannot be used for identification purposes. The printable interim driver license must be signed and carried with the driver’s most recent driver license issued by the Commission, unless the printable interim driver license is marked “initial” or “duplicate.” An interim driver license shall serve as documentation of interim driving privileges. A licensee is permitted to drive a motor vehicle of the class for which he or she is licensed, when the interim license is in his or her possession and unexpired.

(d) Upon successful completion of an online renewal of a non-driver identification card, a printable non-driver identification card receipt will be made available to the applicant and will also be sent to the applicant by encrypted electronic mail. A non-driver identification card receipt may not be used for identification purposes. The non-driver identification card receipt shall contain, at a minimum, the cardholder’s full name, address, date of birth, identification card number, transaction identification, and organ donor status, if the cardholder is an organ donor.

(e) Upon successful completion of an online duplicate driver license transaction, a printable interim driver license for class D, E, F, G, and boat licenses, or a printable interim commercial driver license for class A, B, and C licenses, will be made available to the applicant, and will also be sent to the applicant by encrypted electronic mail. The printable interim driver license or interim commercial driver license is valid for 30 days from the date of the online electronic transaction and shall contain, at a minimum, a barcode with an expiration date, the transaction identification and type, a signature line for the driver where the driver must sign, the applicant’s license class, the applicant’s full name and driver license number, the applicant’s date of birth and mailing address, the date of issuance, any applicable endorsements and restrictions, and applicant’s organ donor status, if applicant is an organ donor. An interim driver license and interim commercial driver license cannot be used for identification purposes. The printable interim driver license or interim commercial driver license must be signed and carried with the driver’s most recent driver license issued by the Commission, unless the printable

interim driver license or interim commercial driver license is marked “initial” or “duplicate.” An interim driver license and interim commercial driver license shall serve as documentation of interim driving privileges. A licensee is permitted to drive a motor vehicle of the class for which he or she is licensed, when the interim driver license or interim commercial driver license is in his or her possession and unexpired.

(f) Upon successful completion of an online duplicate non-driver identification card transaction, a printable non-driver identification card receipt will be made available to the applicant, and will also be sent to the applicant by encrypted electronic mail. The non-driver identification card receipt may not be used for identification purposes. The non-driver identification card receipt shall contain the transaction identification, the applicant’s full name, address, date of birth, identification number, and applicant’s organ donor status, if the applicant is an organ donor.

13:21-9.15 (No change in text.)

13:21-9.16 Applicant survey

The Commission may, either directly or through a consultant or a contractor, survey applicants to ascertain from them their opinions, observations, or recommendations regarding the process of renewing or duplicating registrations, driver licenses, and non-driver identification cards through the Internet. Although these surveys will be conducted in conjunction with actual transactions, an applicant need not participate in the survey in order to conduct the transaction. Participation in such a survey will be solely at the option of an applicant, and survey results shall contain no personal information, unless expressly authorized by the applicant.

Recodify existing 13:21-9.15 and 9.16 as 9.17 and 9.18 (No change in text.)

**(a)**

**MOTOR VEHICLE COMMISSION  
REGULATORY AFFAIRS (COMMERCIAL  
PASSENGER TRANSPORTATION)**

**Zone of Rate Freedom**

**Adopted Amendment: N.J.A.C. 16:53D-1.1**

Proposed: April 1, 2019, at 51 N.J.R. 471(a).

Adopted: August 28, 2019, by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Filed: August 29, 2019, as R.2019 d.103, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 48:2-21, and 48:4-2.20 through 2.25.

Effective Date: October 7, 2019.

Expiration Date: September 21, 2024.

**Summary of Public Comment and Agency Response:**

**No comments were received.**

**Federal Standards Statement**

A Federal standards analysis is not required because the rule that is the subject of this adoption is dictated by State statutes and are not subject to Federal requirements or standards.

**Full text of the adoption follows:**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**16:53D-1.1 General provisions**

(a) Any regular route autobus carrier operating within the State, which carrier seeks to revise its rates, fares, or charges in effect as of the time of the promulgation of this rule, shall not be required to conform with N.J.A.C. 16:51-3.10, Tariff filings that do not propose increases in charges to customers, or 3.11, Tariff petitions that propose increases in charges to customers, provided the increase or decrease in the rate, fare, or charge, or the aggregate of increases and decreases in any single rate, fare, or charge is not more than the maximum percentage increase (10