

**SUBCHAPTER 1. SPECIFICATIONS FOR VAN-TYPE AUTOBUSES****N.J.A.C. 16:53-1.1 (2014)****§ 16:53-1.1 Scope**

- (a) Except as otherwise provided in this subchapter, the New Jersey Motor Vehicle Commission hereby adopts and incorporates by reference the rules pertaining to the safety of equipment promulgated by the United States Department of Transportation set forth in 49 CFR Part 393, as amended and supplemented. A copy of 49 CFR Part 393 may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (866) 512-1800.
- (b) Any van-type autobus in operation or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any van-type autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any van-type autobus for which a contract of sale or purchase order was entered into before September 1, 2002, and any new van-type autobus that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.
- (c) Any van-type autobus in operation or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any van-type autobus in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any van-type autobus for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any new van-type autobus that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (d) Notwithstanding (b) and (c) above, this section shall not be deemed to exempt any van-type autobus from any applicable requirements imposed upon such vehicles by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.
- (e) The specifications set forth in this subchapter shall apply to all van-type autobuses engaged in interstate or intrastate common carrier service that are subject to the New Jersey Motor Vehicle Commission's jurisdiction and for which certificates of compliance of the New Jersey Motor Vehicle Commission are required.
- (f) For purposes of this subchapter, a van-type autobus shall be defined as a motor vehicle used in the transportation of passengers for hire having a seating capacity of 15 adult passengers or less, not including the driver, and a gross vehicle weight rating (GVWR) of 10,000 pounds or less. For purposes of this subchapter, when referring to GVWR, the weight of each passenger shall be deemed to be 150 pounds.
- (g) For purposes of this subchapter, the right or left side of a van-type autobus shall be determined by reference to the driver when sitting in a forward-facing position in the driver's seat.

**§ 16:53-1.2 Dimensions**

- (a) The overall length of a van-type autobus, including bumpers, shall not exceed 25 feet.
- (b) The overall width of a van-type autobus shall not exceed 84 inches, measured at the widest point of the body. Mirrors, fender moldings and other similar accessories shall not be included in determining body width.

#### **§ 16:53-1.3 Chassis and body construction**

- (a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight (GVW) and the allowable payload, as recommended by the chassis manufacturer.
- (b) Axles, springs, tires and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.
- (c) The GVWR certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the van-type autobus in a location that is readily visible for inspection. At no time shall the GVWR be exceeded.
- (d) Alteration of the wheelbase or the standard chassis frame shall be permitted when such alteration is performed by the chassis or unit manufacturer or by others provided that a certification of approval has been issued by the original chassis or unit manufacturer. An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer or by others provided that a certification of approval has been issued by the original chassis manufacturer. Such certification shall contain a detailed description of the alteration or extension.
- (e) Body modifications, such as raising of the roof and ceiling, shall be performed by an established unit manufacturer or by others provided a certification of approval has been issued by the original manufacturer.
- (f) Roof modifications shall meet the requirements of the roof crush resistance standard set forth in Federal Motor Vehicle Safety Standard No. 216 (49 CFR § 571.216), incorporated herein by reference, as amended and supplemented. A certificate confirming that the roof crush resistance standard has been met shall be presented at the time of inspection.
- (g) If an alteration or modification changes the GVWR of a van-type autobus, the GVWR on the data plate that is affixed to the vehicle shall be corrected to accurately reflect the GVWR of the vehicle.
- (h) The body shall be mounted on an appropriate chassis and shall be free of sharp or jagged edges.
- (i) A front and rear bumper shall be provided. The front and rear bumper shall be attached to the main chassis frame and shall be of sufficient size and strength to permit the vehicle to be pushed or pulled without permanent distortion to the bumper or the chassis.

#### **§ 16:53-1.4 Equipment unit**

- (a) The van-type autobus shall be of the single unit type, with the motive power and passenger compartment mounted as one unit.
- (b) Trailers of any type are prohibited.

#### **§ 16:53-1.5 Interior**

- (a) The interior shall be free of unnecessary projections. Body panels, seats, flooring, and all other component parts of the body shall be installed in a workmanlike manner and be free of sharp or jagged edges, protruding nails, screws, or similar objects.
- (b) The interior shall be equipped with inner linings on the ceiling and side walls covering all body bows and body supports.

#### **§ 16:53-1.6 Doors**

- (a) A van-type autobus shall be equipped with a door to the right and to the left side of the driver. A van-type autobus shall also be equipped with a door(s) on the right side center of the vehicle to provide ready access to and from seats in the passenger compartment. The door to the right side of the driver may be omitted on a van-type autobus not having a passenger area immediately to the right of the driver, provided the vehicle is equipped with a right side center door(s) and meets the requirements of Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented, pertaining to emergency egress.
- (b) Doors shall be constructed and maintained so as to be readily opened from both inside and outside of the van-type autobus.

**§ 16:53-1.7 Emergency exits**

- (a) A van-type autobus manufactured before September 1, 1973 shall meet the requirements of 49 CFR § 393.62(c) and (d), incorporated herein by reference, as amended and supplemented.
- (b) A van-type autobus manufactured on and after September 1, 1973 shall have emergency exits conforming to Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented.
- (c) A van-type autobus having a center aisle shall be equipped with a rear door or doors in addition to the right side center door(s). The aisle leading to a rear door(s) shall not be less than 12 inches in width, nor shall the aisle be obstructed in any manner. The rear door(s) and aisle width requirements set forth in this subsection shall not apply when the aisle does not extend completely to the rear of the van-type autobus due to the rear area being utilized as a baggage compartment.
- (d) Side center doors and accessible rear doors shall be conspicuously marked with the words "EMERGENCY DOOR" or "EMERGENCY EXIT" on the interior, on, above, or immediately adjacent to the door. The markings shall be in letters at least one inch high and of a sharply contrasting color from the background.

**§ 16:53-1.8 Aisles**

- (a) A van-type autobus having a center aisle shall have a center aisle with a minimum width of 12 inches of unobstructed clearance.
- (b) A van-type autobus that is equipped with a rear seat located to the rear of the rearmost opening of the right side center door shall have an aisle not less than 10 inches in width leading from the rearmost seat to the right side center door opening.

**§ 16:53-1.9 Seating**

- (a) A transverse and longitudinal seat space of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a transverse seat space of not less than 19 inches and a longitudinal seat space of not less than 15 inches.
- (b) Seats shall be of substantial construction, and securely mounted to the floor and/or sides. Perimeter seating is permitted when two stanchions are provided evenly spaced on each side of the aisle.
- (c) Seats shall have kneeroom of not less than seven inches.
- (d) A minimum of 35 inches of headroom measured from the top of the seat cushion to the ceiling shall be provided.
- (e) Portable seats and seats not securely and permanently mounted to the floor are prohibited.
- (f) The front seat shall not be occupied by more than one passenger, exclusive of the driver, provided that vehicle construction so allows.
- (g) The total number of passengers shall not exceed the capacity of the van-type autobus as specified by the manufacturer or the New Jersey Motor Vehicle Commission's rated seating capacity as designated on the Commission's certificate of compliance.
- (h) Wheelchair positions shall conform to Federal Motor Vehicle Safety Standard No. 208, 209, and 210 (49 CFR § 571.208, § 571.209, and § 571.210), incorporated herein by reference, as amended and supplemented.
- (i) Wheelchair positions may be rear or forward-facing. Wheelchair positions in van-type autobuses that are used to transport students to and from school or school-connected activities shall be forward-facing.

**§ 16:53-1.10 Glazing**

All glazing shall conform to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented.

**§ 16:53-1.11 Lights; reflectors**

- (a) Interior lighting shall be under the control of the driver, and sufficient in number to provide proper illumination.

- (b) Exterior lights shall conform to Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.
- (c) Van-type autobuses shall be equipped with rear reflectors on each side in accordance with Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.

#### § 16:53-1.12 Mirrors

- (a) Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.
- (b) Exterior left and right side mirrors shall be low mount, firmly supported, and easily adjustable.

#### § 16:53-1.13 Brakes

- (a) Brakes shall conform to the manufacturer's specifications applicable to the GVWR of the van-type autobus.
- (b) A hydraulic service brake system shall be of the dual (split) type and shall meet Federal Motor Vehicle Safety Standard No. 105 (49 CFR § 571.105), incorporated herein by reference, as amended and supplemented.
- (c) Service brakes shall be power-actuated and shall operate on all wheels.
- (d) Service brakes shall be constructed and maintained to stop the van-type autobus at a rate of deceleration equivalent to a stop in 25 feet or less from a speed of 20 miles per hour.
- (e) A van-type autobus shall be equipped with two independent brake systems having two sets of controls that are capable of being actuated independently of each other.
- (f) If a van-type autobus is equipped with a mechanical parking brake, such parking brake shall be constructed and maintained to hold the van-type autobus in a stopped position with the transmission in a forward gear while the parking brake is applied.
- (g) Brake stopping distances shall be measured by means of an instrument or machine of the decelerometer-type capable of being read in feet.
  - 1. Each van-type autobus shall meet the brake stop test requirement on an approved decelerometer that has been calibrated for accuracy.
  - 2. Brake stop test equipment shall be owned by the operator, or arrangements shall be made for its use by the operator, or such equipment shall be provided to the operator by others, or the operator may choose to have such testing performed by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.2.
  - 3. The brake stop test shall be performed within 20 days prior to self-inspection certification.
- (h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standards shall be discarded.
- (i) Brake linings and pads shall meet the manufacturer's specifications for minimum thickness.

#### § 16:53-1.14 Tires and wheels

- (a) A van-type autobus shall be equipped with tires and wheels of sufficient size and construction as recommended by the manufacturer to meet the GVWR of the van-type autobus.
- (b) A van-type autobus shall not be operated on any tire having exposed fabric on the tread or sidewall.
- (c) The front and rear tires of a van-type autobus shall have a minimum tread groove of 2/32 of an inch. Measurements shall be made at any point on a major tread groove except where tie bars, humps, or fillets are located.
- (d) A van-type autobus shall not be operated with regrooved, recapped, or retread tires on any wheel.
- (e) A van-type autobus shall be equipped with tires that are matched in size designation, construction, and profile. Radial tires shall not be mixed with other types of tires on the same axle.

#### § 16:53-1.15 Heaters and defrosters

- (a) A van-type autobus shall be equipped with a heating and defrosting system maintained in proper operating condition.
- (b) The use of exhaust gases for heating purposes within the passenger compartment shall not be permitted, nor shall any portion of the exhaust system be contained within the passenger compartment.
- (c) Heaters permitting air contamination shall be prohibited.

- (d) Heating devices utilizing gasoline or other fuel shall be of a type approved by the Underwriters' Laboratories, Inc., shall conform to 49 CFR § 393.77, incorporated herein by reference, as amended and supplemented, and shall be located entirely outside of the passenger compartment.

#### **§ 16:53-1.16 Fuel tanks and fuel systems**

- (a) Fuel tanks and systems shall meet all applicable Federal requirements as set forth in Federal Motor Vehicle Safety Standard No. 301 (49 CFR § 571.301), incorporated herein by reference, as amended and supplemented.
- (b) Fuel tanks and filler pipes shall be located wholly outside of the body to the rear of the line of the windshield and/or the front axle, as physical conditions permit, and be properly insulated to prevent fire.
- (c) Fuel tanks shall be constructed and located in a manner that will permit the filling and draining thereof only from the outside of the van-type autobus.
- (d) The filler cap shall be non-detachable, leakproof, and spillproof.
- (e) Fuel and any other combustible material or compressed gas, other than compressed gas contained in fire extinguishers, shall not be carried or stored in the passenger compartment.

#### **§ 16:53-1.17 Exhaust system**

- (a) The exhaust system shall be securely installed entirely outside of the vehicle body. The exhaust system shall be equipped with a muffler in proper operating condition. The exhaust system shall be free of leaks. Flexible pipe or tubing is prohibited in the exhaust system.
- (b) The exhaust system shall vent to the rear of the rear wheels and shall not vent below or forward of any door or window designed to be opened for ventilation. A window designed to be opened solely as an emergency exit shall not be considered a window designed to be opened for ventilation.
- (c) The engine shall be maintained in proper operating condition so as to prevent the emission of excessive smoke or other air contaminants. Van-type autobuses shall meet the New Jersey Department of Environmental Protection motor vehicle emission inspection standards applicable to the type of engine installed.
  - 1. Each exhaust emission system shall be inspected utilizing equipment approved by the New Jersey Department of Environmental Protection.
  - 2. Inspection of the exhaust emission system may be conducted by the operator, by a person designated by the operator, or by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.1.
  - 3. Each van-type autobus shall be inspected every six months by a person qualified to conduct emission testing. Self-inspection emission testing shall be completed within 20 days prior to self-inspection certification. Inspections performed by any person other than New Jersey Motor Vehicle Commission personnel shall require a certification from the individual conducting such inspection indicating his or her qualifications to conduct such a test and the type of equipment used.
- (d) No portion of the exhaust system shall be located in a manner that could result in the burning or damaging of electrical wiring, fuel system components, or any combustible part of the van-type autobus.
- (e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

#### **§ 16:53-1.18 Windshield wipers and washers**

- (a) Van-type autobuses shall be equipped with windshield wipers and washers sufficient in size and power and maintained so as to provide the driver with clear forward vision. Windshield wipers shall be located and shall operate in accordance with the original equipment manufacturer's specifications.
- (b) Windshield wipers shall be of variable speed and electrically-operated.

#### **§ 16:53-1.19 Steps**

- (a) The first step at the right side center door area shall not be more than 16 inches from the ground when the van-type autobus is unloaded.
- (b) The surface of all steps shall be a nonskid material.
- (c) A van-type autobus having a front entrance door of 74 inches or more in height shall have a step height at that location not to exceed 16 inches (unloaded) and shall also be equipped with an entrance handle.
- (d) Steps shall not extend beyond the body limits to a degree that could result in bodily injury or property damage.

**§ 16:53-1.20 Sun visor**

A van-type autobus shall be equipped with an interior sun visor for the use of the driver.

**§ 16:53-1.21 Baggage racks and compartments**

- (a) Exterior baggage racks shall be constructed so that all baggage is held in a secure manner under all conditions of operation.
- (b) Ladders or any other similar means of reaching the exterior baggage racks shall be prohibited unless protection is provided that will prevent the possibility of ride hitching.
- (c) An interior baggage area shall be separated from the passenger compartment by a partition of sufficient strength and construction installed in a workmanlike manner to safely separate the areas. A partition shall not intrude past the rear of the rear seat with or without baggage on board. Interior baggage shall be carried in a manner so as not to interfere with any passenger's seat, safety, or comfort.

**§ 16:53-1.22 Drive shaft**

Any drive shaft extending lengthwise under the floor of the passenger compartment of a van-type autobus shall be protected by means of at least one guard or bracket at that end of the drive shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

**§ 16:53-1.23 Speedometer; odometer**

- (a) Each van-type autobus shall be equipped with a speedometer in proper operating condition capable of indicating the speed of the vehicle in miles per hour and readily visible to the driver.
- (b) Each van-type autobus shall be equipped with an odometer in proper operating condition capable of recording accumulated miles.

**§ 16:53-1.24 Overhang of body**

- (a) The maximum overhang of the body to the rear of the rear axle shall not exceed one-third of the total length of the van-type autobus.
- (b) Vehicle measurements shall be taken from the extreme front to the extreme rear of the van-type autobus, not including the bumpers.
- (c) Overhang measurements shall be taken from the center of the rear axle to the extreme rear of the van-type autobus, not including the rear bumper.

**§ 16:53-1.25 Horn; audible warning device**

- (a) Each van-type autobus shall be equipped with a horn in proper operating condition to give reasonable warning to others of the approach of the vehicle.
- (b) Each van-type autobus shall be equipped with an audible warning device that shall be activated when the vehicle is in reverse.

**§ 16:53-1.26 Grounding device**

Each van-type autobus, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a grounding device.

**§ 16:53-1.27 Identification**

- (a) A van-type autobus shall not be operated unless it displays on each side of its exterior the exact name of the operator in clearly visible letters at least three inches high and of a sharply contrasting color from the background.
- (b) Every van-type autobus shall be assigned an identification number by the operator. This number shall be displayed on the interior front, and on the front, rear, and both sides of the exterior. All numbers shall be at least three inches high and of a sharply contrasting color from the background.
- (c) Each van-type autobus shall display on the right-hand side thereof the number of the New Jersey Motor Vehicle Commission's certificate of compliance and the charter number, if applicable, in letters and numbers three inches high in the following style: NJMVC 12345 and/or NJMVC 123C.

#### **§ 16:53-1.28 Certificate of inspection**

A van-type autobus shall not be operated unless it prominently displays on the lower right-hand corner of the windshield, visible from the exterior, an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission.

#### **§ 16:53-1.29 Maintenance and inspection**

- (a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.
- (b) All equipment shall receive a specification inspection by New Jersey Motor Vehicle Commission personnel in order to insure compliance with all of the Commission's specifications. All van-type autobuses that meet New Jersey Motor Vehicle Commission specifications shall be issued a certificate of compliance.
- (c) All van-type autobuses for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall receive a certification inspection at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent certification inspections of such vehicles by Commission personnel when the safety of the public so requires.
- (d) A systematic maintenance record shall be kept for each van-type autobus showing the vehicle identification number, driver, dates of breakdowns, defects reported, and corrective measures taken. The records shall be retained by the operator for at least 12 months and shall be available for review by the New Jersey Motor Vehicle Commission.
- (e) Each van-type autobus shall receive a complete inspection at regular time and/or mileage intervals for mechanical or structural defects. All necessary repairs shall be completed and a certificate of inspection affixed in accordance with N.J.A.C. 16:53-1.30 before the van-type autobus is returned to service. An itemized record of each inspection showing the date, vehicle identification number, lubrication record, adjustments and repairs, and signed by the person making such inspection, shall be available at the inspection site at the time of inspection and for at least 12 months thereafter, and shall be available for review by the New Jersey Motor Vehicle Commission.
- (f) The maintenance facilities shall be adequate to assure compliance with specifications herein and shall include either a suitable pit or lift or an arrangement for the use of such facilities.
- (g) The entire van-type autobus shall be kept clean and sanitary.
- (h) All van-type autobuses directly operated by the New Jersey Transit Corporation shall be on a six-month full New Jersey Motor Vehicle Commission inspection program in accordance with the August 2000 Memorandum of Understanding entered into between the New Jersey Transit Corporation and the New Jersey Department of Transportation. The Memorandum of Understanding is available for inspection at the Office of the Chief Administrator, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey. All van-type autobuses operated by private operators shall receive an in-terminal inspection at six-month intervals; once by New Jersey Motor Vehicle Commission personnel during the first six months, and then a self-inspection by the private operator once during the second six-month period. A record of each six-month certification inspection shall be submitted to the New Jersey Motor Vehicle Commission on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (i) The self-inspection certification shall not apply to van-type autobuses certified for school use. Such vehicles shall be inspected biannually by New Jersey Motor Vehicle Commission personnel.
- (j) New Jersey Motor Vehicle Commission personnel shall perform unannounced audit inspections of self-inspected van-type autobuses to insure compliance with the self-inspection program.

#### **§ 16:53-1.30 Certification of inspection**

- (a) An authorized New Jersey Motor Vehicle Commission employee or company official (private operator) shall affix a certificate of inspection (inspection sticker) to a van-type autobus at the completion of each six-month certification inspection.

- (b) A certificate of inspection shall not be issued without certification by the person authorized to inspect the van-type autobus verifying that the vehicle was inspected, is in proper and safe condition, and complies with all requirements of the New Jersey Motor Vehicle Commission. The required certification shall be made on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (c) A van-type autobus shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission, visible from the exterior, on the lower right corner of the right-hand windshield.
- (d) Each van-type autobus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.
- (e) Any person who issues a certificate of inspection or submits a certification to the New Jersey Motor Vehicle Commission without the required inspection and/or repair having been performed shall be deemed to be in noncompliance with N.J.S.A. 48:4-2.1a and this subchapter. A notice of discontinuance shall be affixed to any van-type autobus for which the required inspection and/or repair has not been performed.
- (f) A notice of discontinuance shall be affixed to any van-type autobus that fails the required inspection.
- (g) A certificate of inspection or compliance shall not be issued if payment of a statutory or regulatory fee remains outstanding to the New Jersey Motor Vehicle Commission.

#### **§ 16:53-1.31 Fire extinguisher**

Each van-type autobus shall be equipped with a fire extinguisher having a minimum Underwriters' Laboratories rating of 5BC. The fire extinguisher shall be permanently mounted and readily accessible to the driver.

#### **§ 16:53-1.32 Warning devices**

Each van-type autobus shall be equipped with warning devices for stopped vehicles for use during roadside emergencies as provided in 49 CFR § 393.95(f), incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-1.33 Signs**

A sign shall be provided indicating that smoking on autobuses is prohibited by law. The required sign shall be located in the interior front of the van-type autobus.

### **SUBCHAPTER 2. SPECIAL EQUIPMENT FOR VEHICLES USED TO TRANSPORT PASSENGERS IN WHEELCHAIRS**

#### **N.J.A.C. 16:53-2.1 (2014)**

#### **§ 16:53-2.1 Doors, steps, and thresholds**

- (a) Doors, steps, and thresholds shall conform to 49 CFR § 38.153, incorporated herein by reference, as amended and supplemented.
- (b) A service door(s) shall be located on the right side of the vehicle. The door(s) opening shall be of sufficient size to accommodate the wheelchair and the seated wheelchair passenger.
- (c) A drip molding shall be installed above the door(s) opening to effectively divert water from the entrance.
- (d) The door(s) shall cover the entire opening and shall be weathersealed to protect the lift or ramp storage area from the elements.
- (e) The door(s) shall be equipped with a device that will actuate an audible or visible signal when the door(s) is not securely closed. Such warning signal shall be located in the driver's compartment.
- (f) A positive fastening device shall be installed to hold the door(s) in an open position.
- (g) A stepwell light and doorway light shall be provided. The stepwell light and doorway light shall be activated by opening the door(s). The stepwell light and doorway light shall conform to 49 CFR § 38.157, incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-2.2 Ramp**

- (a) A ramp shall conform to 49 CFR § 38.159, incorporated herein by reference, as amended and supplemented.
- (b) If a ramp is used, it shall be stored completely enclosed in the vehicle.



- (c) A ramp shall be equipped with a handle(s) designed to permit one person to place the ramp in the service position and to return it to the storage area.
- (d) A ramp shall be properly secured in the stored position.
- (e) Provisions shall be made to permanently attach the ramp at one end to the inside of the vehicle at floor level, in such manner as to permit easy access of the wheels of the wheelchair(s) to the floor of the vehicle.
- (f) The width of the ramp shall conform generally to the width of the door(s) opening.
- (g) Rear door ramps are not permitted.

#### **§ 16:53-2.3 Power lift**

- (a) A power lift shall conform to 49 CFR § 38.159, incorporated herein by reference, as amended and supplemented.
- (b) If a power lift is used, it shall be stored completely within the vehicle.
- (c) The power lift shall be mounted on the chassis frame or vehicle body, provided the body and/or chassis frame is adequately strengthened and warranted by the lift installer. The edges of the platform and the adjacent floor shall be properly finished and all seams covered with molding as required for the vehicle floor. Flexible seals, designed to keep out dirt, water and fumes when the lift is in a locked position, shall be installed along the platform edges.
- (d) All electrical and hydraulic lines within the passenger compartment shall be enclosed and protected.
- (e) Rear door lifts are prohibited.
- (f) In the event the power lift, when in the stored position, prevents inside access to the special service door(s) opening, the lift control system shall be equipped with a device that will allow the lift to be moved from its obstructing position in the event of an emergency or power failure.
- (g) A power lift shall be approved by the lift manufacturer for passenger carrying purposes. The manufacturer's certificate shall be permanently attached to the vehicle. The manufacturer's certificate shall certify that the power lift conforms to the requirements set forth in 49 CFR § 38.159.

#### **§ 16:53-2.4 Securement devices for wheelchairs**

Securement devices shall be provided that will securely hold a wheelchair(s) in position. Securement devices for wheelchairs shall conform to 49 CFR § 38.159, incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-2.5 Aisle; aisle armrests**

- (a) An aisle leading from a wheelchair position to an emergency door, exit door, or power lift door shall be a minimum of 30 inches in width.
- (b) A minimum of 50 percent of aisle seats, including all moveable or removable seats at wheelchair or mobility aid securement locations, shall have an armrest on the aisle side that can be raised, removed, or retracted to permit easy entry or exit.

#### **§ 16:53-2.6 Fuel tanks**

The fuel tank may be relocated from the original manufacturer's position if required for wheelchair installation. The relocated fuel tank position shall be approved by the New Jersey Motor Vehicle Commission. A person or entity that relocates a fuel tank from the original manufacturer's position shall certify that the fuel tank conforms to the requirements set forth in 49 CFR § 393.67.

#### **§ 16:53-2.7 Seat/shoulder belts**

A Type 2 lap/shoulder belt restraint system that meets all applicable requirements of Federal Motor Vehicle Safety Standard No. 209 and 210 (49 CFR § 571.209 and § 571.210), incorporated herein by reference, as amended and supplemented, shall be provided for restraint of the wheelchair occupant's pelvic lap area and upper torso area.

#### **§ 16:53-2.8 Handrails and stanchions**

Handrails and stanchions shall conform to 49 CFR § 38.155, incorporated herein by reference, as amended and supplemented.

### **SUBCHAPTER 3. AUTOBUS SPECIFICATIONS**

**N.J.A.C. 16:53-3.1 (2014)****§ 16:53-3.1 Scope**

- (a) Except as otherwise herein provided, the New Jersey Motor Vehicle Commission hereby adopts and incorporates by reference the rules pertaining to the safety of equipment promulgated by the United States Department of Transportation set forth in 49 CFR Part 393, as amended and supplemented. A copy of 49 CFR Part 393 may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (866) 512-1800.
- (b) The specifications set forth in this subchapter shall apply to all autobuses engaged in interstate or intrastate common carrier service that are subject to the New Jersey Motor Vehicle Commission's jurisdiction and for which certificates of compliance of the New Jersey Motor Vehicle Commission are required.
- (c) Any autobus in operation or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued except as otherwise provided in this subchapter. Any autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any autobus for which a contract of sale or purchase order was entered into before September 1, 2002, and any new autobus that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.
- (d) Any autobus in operation or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any autobus in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any autobus for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any new autobus that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (e) Notwithstanding (c) and (d) above, this section shall not be deemed to exempt any autobus from any applicable requirements imposed upon such vehicles by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.
- (f) For purposes of this subchapter, an autobus shall be defined as a motor vehicle used in the transportation of passengers for hire having a seating capacity of 26 or more passengers, not including the driver, except as otherwise provided in N.J.A.C. 16:53-4. For purposes of this subchapter, an articulated vehicle is a single unit.
- (g) For purposes of this subchapter, when referring to gross vehicle weight rating (GVWR), the weight of each passenger shall be deemed to be 150 pounds.
- (h) For purposes of this subchapter, the right or left side of an autobus shall be determined by reference to the driver when sitting in a forward-facing position in the driver's seat.

**§ 16:53-3.2 Dimensions**

- (a) The overall length of a single unit autobus shall not exceed 45 feet, excluding the bumpers. The overall length of an articulated autobus shall not exceed 61 feet, excluding the bumpers.
- (b) The overall width of an autobus shall not exceed 102 inches outside measurement, measured at the widest point of the body. Mirrors, fender moldings, and other similar accessories shall not be included in determining body width.
- (c) The inside height of the entire aisle of autobuses transporting passengers shall not be less than 75 inches measured vertically from the floor to the ceiling or any fixture. For purposes of this subsection, an aisle shall be deemed to start at the front of the front seats and end at a point 84 inches forward of the rear firewall.
- (d) The overall height of an autobus shall not exceed 13 feet, six inches.

**§ 16:53-3.3 Window opening**

- (a) Each window opening, other than the driver's window, shall be restricted to a maximum of six inches.
- (b) On autobuses that are used to transport children to or from school or school-connected activities, each full side window, other than push-out type windows installed in accordance with N.J.A.C. 16:53-3.8(f), shall provide an unobstructed opening at least nine inches high and 22 inches wide, obtained by lowering the window.

#### **§ 16:53-3.4 Guardrail**

Each autobus equipped to permit the carrying of standees shall comply with 49 CFR § 393.90, incorporated herein by reference, as amended and supplemented. A crowd gate or guardrail that is installed in an autobus shall be in proper operating condition.

#### **§ 16:53-3.5 Partition and curtain**

Each autobus shall be equipped with a partition of metal, or with a partition of safety glass or rigid plastic that conforms to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented. The partition shall be located to the rear of the driver's seat. A partition of safety glass or rigid plastic shall be tinted or covered by a curtain, if necessary, to shield the driver from the glare of inside lights. The minimum dimensions of drivers' partitions shall be 18 inches wide and shall extend upward from at least two inches below the top of the driver's seatback to not less than 18 inches from the ceiling.

#### **§ 16:53-3.6 Service doors**

- (a) All service doors and connecting passages shall have a horizontal clearance of not less than 24 inches.
- (b) Service doors located rearward of the front service door shall be equipped with an audible or visible signal indicating to the driver when the door is not completely closed. Such doors shall also be equipped with flexible rubber edges having a total width of four inches.
- (c) Rear side service doors shall be so interlocked that it will be impossible, under normal operating conditions, to put the vehicle in motion when such door is open.
- (d) Autobuses equipped with a kneeling feature are required to have the following:
  1. A warning sign located on the right front exterior, visible while the door is opened, indicating that the bus kneels;
  2. A flashing amber light at least 2 1/2 inches in diameter located at the right front of the vehicle and an audible device which shall be activated when the bus is lowered or raised; and
  3. An interlock installed so that during the kneeling cycle, it will be impossible, under normal operating conditions, to put the vehicle in motion.

#### **§ 16:53-3.7 (Reserved)**

##### *HISTORY:*

*Section was "Special equipment for vehicles used to transport passengers in wheelchairs".*

#### **§ 16:53-3.8 Emergency exits**

- (a) An emergency door located in the center of the rear vertical plane of the autobus body or in the left side of the autobus body between the center of the autobus and the extreme rear of the autobus body shall be provided. The emergency door shall have a clearance with the door open of not less than 10 inches at the floor line and not less than 18 inches from a point 12 inches above the floor line to the upper belt panel.
- (b) The emergency door shall be conspicuously marked in letters at least one inch high with the words "EMERGENCY DOOR" or "EMERGENCY EXIT" on the inside of the autobus body as provided in 49 CFR § 393.62(e), incorporated herein by reference, as amended and supplemented.
- (c) The emergency door shall be constructed and maintained in such condition as to be readily opened by passengers in case of emergency.
- (d) A clear passage to the emergency door of not less than ten inches in width and free from all obstruction shall be provided and maintained.
- (e) The emergency door shall be equipped with an audible or visible signal to warn the driver when the door is not completely closed.
- (f) In lieu of an emergency door, each autobus shall have adequate means of escape for passengers through push-out type windows. Roof hatches shall also be required where there is no rear push-out type window. Each push-out type window so constructed shall have a frame or sash so designed, constructed, and maintained as to permit the opening thereof with reasonable effort. Both push-out type windows and roof hatches shall conform to Federal

Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented.

### **§ 16:53-3.9 Aisle**

The width of the aisle shall not be less than 14 inches.

### **§ 16:53-3.10 Seating**

- (a) A clearance of not less than 26 inches shall be provided between seats, measured at the seat line from the front of the backrest of each seat to the nearest forward obstruction.
- (b) A transverse and longitudinal seat space of not less than 16 inches shall be provided for each seated passenger.
- (c) The seating capacity or seat layout in any autobus shall not be permanently changed without notification to the New Jersey Motor Vehicle Commission and no autobus in which such changes have been made shall be placed in service until inspected and approved by a representative of the New Jersey Motor Vehicle Commission.
- (d) Seats are prohibited to the right of the driver except as otherwise provided in (e) below.
- (e) A tour guide seat may be installed to the right of the center aisle, provided that such seat shall not be occupied by a person other than an employee of the autobus company. The seat shall be permanently installed. When the tour guide seat is not in use, it shall automatically fold to allow a clear 24-inch passageway. The tour guide seat shall be forward-facing and shall be equipped with a seat belt. The tour guide seat shall conform to 49 CFR § 393.90, incorporated herein by reference, as amended and supplemented.
- (f) Seats shall be of substantial construction and securely mounted to the floor and/or sides.
- (g) Wheelchair positions may be rear or forward-facing. Wheelchair positions in autobuses that are used to transport students to or from school or school-connected activities shall be forward-facing. Wheelchair positions shall conform to Federal Motor Vehicle Safety Standard No. 208, 209 and 210 (49 CFR § 571.208, § 571.209 and § 571.210), incorporated herein by reference, as amended and supplemented.

### **§ 16:53-3.11 Entrance handles for passenger use**

- (a) Rails or handles located inside the autobus body shall be provided at each service door.
- (b) Outside handles shall not be permitted on any portion of the autobus.

### **§ 16:53-3.12 Handles for standing passengers**

- (a) Handles, stanchions, or handrails placed at a convenient height shall be provided in autobuses that carry standing passengers.
- (b) All handrails, stanchions, and handles shall be constructed of rigid materials and provide for a suitable grasp.
- (c) Standing passengers shall not be carried in excess of the following limitations, except that the total weight of the passenger load plus a combined weight of the body and chassis shall not exceed the gross vehicle weight rating recommended by the chassis manufacturer:
  1. 75 percent of the seating capacity of a bus with a main aisle not less than 20 inches wide;
  2. 70 percent of the seating capacity of a bus with a main aisle less than 20 inches but not less than 19 inches wide;
  3. 65 percent of the seating capacity of a bus with a main aisle less than 19 inches but not less than 18 inches wide;
  4. 60 percent of the seating capacity of a bus with a main aisle less than 18 inches but not less than 17 inches wide;
  5. 55 percent of the seating capacity of a bus with a main aisle less than 17 inches but not less than 16 inches wide;
  6. 50 percent of the seating capacity of a bus with a main aisle less than 16 inches but not less than 15 inches wide;
  7. 40 percent of the seating capacity of a bus with a main aisle less than 15 inches but not less than 14 inches wide.
- (d) Passengers shall not be permitted to stand forward of the crowd gate, guardrail, or marking set forth in 49 CFR § 393.90, incorporated herein by reference, as amended and supplemented, as may be applicable, while the autobus is in motion.

- (e) Each autobus carrying passengers shall have the permitted standing passenger capacity of the vehicle displayed on the exterior of the vehicle adjacent to the area of the service door and clearly visible to all boarding passengers. An autobus not permitting standees shall display on the exterior of the vehicle the words "No standees."

#### **§ 16:53-3.13 Interior lights**

- (a) An interior lighting system shall be provided having a total luminous intensity of not less than five rated candlepower per seated passenger and receptacles located so as to provide a reasonably uniform diffusion of light within the passenger compartment. The lamps shall be located or shielded so as to prevent direct rays of light from striking the windshield.
- (b) At least one step light shall be provided at each service door. All interior steps shall be illuminated.
- (c) All instrument panel, warning, and signaling lights shall operate as designed by the manufacturer.

#### **§ 16:53-3.14 Passenger signal**

A signal system shall be provided for the use of passengers to signal for a stop if the autobus is operated on an approved route and passengers are discharged at points between termini.

#### **§ 16:53-3.15 Signs**

- (a) An illuminated sign indicating route and destination shall be provided, so designed and located that it may be read by day or night. Such sign shall not interfere with the driver's view or produce an annoying glare.
- (b) The destination sign requirement set forth in (a) above may be waived provided the operator receives written approval from the New Jersey Motor Vehicle Commission.
- (c) A sign shall be provided indicating that smoking on autobuses is prohibited by law.
- (d) Every autobus shall have a sign with letters at least one-half inch high indicating that it is a violation of the Federal Motor Carrier Safety Administration's regulations for an autobus to be operated with persons occupying the prohibited area as provided in 49 CFR § 393.90, incorporated herein by reference, as amended and supplemented.
- (e) A sign shall be provided that indicates the location of the fire extinguisher if the fire extinguisher is not readily visible.
- (f) All signs required by (c), (d) and (e) above shall be located in the interior front of the autobus.

#### **§ 16:53-3.16 Chassis and body construction**

- (a) The chassis and body, or the complete autobus unit, shall be so designed and constructed that it will properly and safely support the gross weight of the autobus, including the maximum passenger capacity thereof.
- (b) Axles, springs, tires, and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.
- (c) The GVWR certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the autobus in a location that is readily visible for inspection. At no time shall the GVWR be exceeded.
- (d) The body shall be mounted on an appropriate chassis and shall be free of sharp or jagged edges.

#### **§ 16:53-3.17 Relation of body and chassis frame**

- (a) The body shall not extend more than 18 inches beyond the rear of the main frame supporting the body.
- (b) An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer or by others provided that a certification of approval has been issued by the original chassis manufacturer. Such certification shall contain a detailed description of the extension.

#### **§ 16:53-3.18 Overhang of body**

- (a) The maximum overhang of the body to the rear of the rear axle shall not exceed one-third of the total length of the autobus.
- (b) Vehicle measurements shall be taken from the extreme front to the extreme rear of the autobus, not including the bumpers.

- (c) Overhang measurements shall be taken from the center of a load-bearing axle to the extreme rear end of the autobus, not including the rear bumper.

#### § 16:53-3.19 Bumpers

- (a) Each autobus shall be equipped with a front and rear bumper of sufficient size and strength attached to the main frame supporting the body and extending the full width of the body.
- (b) The rear bumper shall extend at least four inches beyond the body limits and be shielded on the top to prevent toehold, except on an autobus constructed with its engine attached to the extreme rear end of the chassis frame or one having a similarly sized compartment between the extreme rear of the bus body and rear seat in the passenger compartment.

#### § 16:53-3.20 Brakes

- (a) Every autobus shall be equipped with two independent brake systems. Service brakes shall operate on all wheels and shall be capable of bringing the autobus to a stop in 22.5 feet or less from a speed of 20 miles per hour.
- (b) The emergency brake shall be capable of bringing the autobus to a stop within 75 feet or less from a speed of 20 miles per hour.
  - 1. The emergency brake shall be activated and capable of stopping and holding the autobus if the main system supply to the service brake falls below a safe operating level. Upon application of the emergency brake, it shall remain on, though the source of energy for its application may be eliminated.
  - 2. When the emergency brake is activated by the loss of the system to the main service brakes, the driver, without leaving his or her seat, shall be able to override the emergency brake a minimum of three times. The control to operate the override shall be of a "dead man" type, necessitating constant driver effort to use. All autobuses manufactured after March 1975 and equipped with an air brake system shall comply with Federal Motor Vehicle Safety Standard No. 121 (49 CFR § 571.121), incorporated herein by reference, as amended and supplemented, pertaining to split system and emergency application.
  - 3. Any system source to activate the emergency brake shall be separate and independent of the main service brake system supply source.
  - 4. If an autobus is equipped with a mechanical parking brake, such parking brake shall be constructed and maintained to hold the autobus in a stopped position with the transmission in a forward gear while the parking brake is applied.
- (c) Brake stopping distances shall be measured by means of an instrument or machine of the decelerometer-type capable of being read in feet.
  - 1. Each autobus shall meet the brake stop test requirement on an approved decelerometer that has been calibrated for accuracy.
  - 2. Brake stop test equipment shall be owned by the operator, or arrangements shall be made for its use by the operator, or such equipment shall be provided to the operator by others, or the operator may choose to have such testing performed by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.2.
  - 3. The brake stop test shall be performed within 20 days prior to self-inspection certification.
- (d) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:
  - 1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes or less.
  - 2. Reservoir capacity shall be sufficient to maintain 60 pounds per square inch after four full brake applications. This shall be accomplished with the engine and compressor shut down and the parking brake released.
  - 3. Compressed air reservoir systems shall be equipped with a safety valve that shall vent to the atmosphere. The safety valve setting shall not be in excess of 1 1/2 times the maximum air compressor governed pressure setting.
  - 4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches and shall be used for braking purposes only.
  - 5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum within the following times:
    - i. Intake manifold of engine, one minute; and
    - ii. Vacuum pump, two minutes.

- (e) Brake systems shall be equipped with an air pressure or vacuum gauge, indicating pounds per square inch or inches of mercury, located in clear view of the driver and illuminated during the period when lighted lamps are required.
- (f) Buses equipped with brake systems actuated by compressed air shall be equipped with an audible or visible signal within hearing or full view of the driver to indicate that air pressure is at least one-half of the compressor governor cut-out pressure. Buses equipped with brake systems actuated by vacuum power shall be equipped with an audible or visible signal within hearing or full view of the driver whenever the vacuum in the vehicle's supply reservoir is less than eight inches of mercury.
- (g) Hydraulic system service (foot) brakes shall be of a dual-type, split to the front and rear wheels and each section separately actuated and shall meet the requirements of Federal Motor Vehicle Safety Standard No. 105 (49 CFR § 571.105), incorporated herein by reference, as amended and supplemented.
- (h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standards shall be discarded.
- (i) Brake linings and pads shall meet the manufacturer's specifications for minimum thickness.

#### **§ 16:53-3.21 Equipment unit**

- (a) Only single-unit, including articulated, bus equipment with the motive power and the passenger compartment mounted on such unit shall be permitted.
- (b) Trailers shall not be permitted to be attached to a bus used for the transportation of passengers.

#### **§ 16:53-3.22 Identification**

- (a) A bus shall not be operated unless it displays on each side of its exterior the exact name of the operator in clearly visible letters at least three inches high and of a sharply contrasting color from the background.
- (b) Every bus shall be assigned an identification number by the operator. This number shall be displayed on the interior front, and on the front, rear, and both sides of the exterior. All numbers shall be at least three inches high and of a sharply contrasting color from the background. The number at the rear shall be displayed at least 60 inches from the ground.
- (c) Each bus shall display on the right-hand side thereof the number of the New Jersey Motor Vehicle Commission's certificate of compliance and the charter number, if applicable, in letters and numbers three inches high in the following style: NJMVC 12345 and/or NJMVC 123C.

#### **§ 16:53-3.23 Certification of inspection**

- (a) An authorized New Jersey Motor Vehicle Commission employee or company official (private operator) shall affix a certificate of inspection (inspection sticker) to a bus at the completion of each six-month certification inspection.
- (b) A certificate of inspection shall not be issued without certification by the person authorized to inspect the bus verifying that the vehicle was inspected, is in proper and safe condition, and complies with all requirements of the New Jersey Motor Vehicle Commission. The required certification shall be made on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (c) A bus shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission, visible from the exterior, on the lower right corner of the right-hand windshield.
- (d) Each bus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.
- (e) Any person who issues a certificate of inspection or submits a certification to the New Jersey Motor Vehicle Commission without the required inspection and/or repair having been performed shall be deemed to be in noncompliance with N.J.S.A. 48:4-2.1a and this subchapter. A notice of discontinuance shall be affixed to any bus for which the required inspection and/or repair has not been performed.
- (f) A notice of discontinuance shall be affixed to any bus that fails the required inspection.
- (g) A certificate of inspection or compliance shall not be issued if payment of a statutory or regulatory fee remains outstanding to the New Jersey Motor Vehicle Commission.

### § 16:53-3.24 Maintenance and inspection

- (a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.
- (b) All equipment shall receive a specification inspection by New Jersey Motor Vehicle Commission personnel in order to insure compliance with all of the Commission's specifications. All autobuses that meet New Jersey Motor Vehicle Commission specifications shall be issued a certificate of compliance.
- (c) All autobuses for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall receive a certification inspection at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent certification inspections of such vehicles by Commission personnel when the safety of the public so requires.
- (d) A systematic maintenance record shall be kept for each autobus showing the vehicle identification number, driver, dates of breakdowns, defects reported and corrective measures taken. The records shall be retained by the operator for at least 12 months and shall be available for review by the New Jersey Motor Vehicle Commission.
- (e) Each autobus shall receive a complete inspection at regular time and/or mileage intervals for mechanical or structural defects. All necessary repairs shall be completed and a certificate of inspection affixed in accordance with N.J.A.C. 16:53-3.23 before the autobus is returned to service. An itemized record of each inspection showing the date, vehicle identification number, lubrication record, repairs and adjustments, and signed by the person making such inspection, shall be available at the inspection site at the time of inspection and for at least 12 months thereafter, and shall be available for review by the New Jersey Motor Vehicle Commission.
- (f) The maintenance facilities shall be adequate to assure compliance with specifications herein and shall include either a suitable pit or lift or an arrangement for the use of such facilities.
- (g) The entire autobus shall be kept clean and sanitary.
- (h) The self-inspection certification does not apply to autobuses certified for school use. Such vehicles shall be inspected biannually by New Jersey Motor Vehicle Commission personnel.
- (i) All autobuses directly operated by the New Jersey Transit Corporation shall be on a six-month full New Jersey Motor Vehicle Commission inspection program in accordance with the August 2000 Memorandum of Understanding entered into between the New Jersey Transit Corporation and the New Jersey Department of Transportation. The Memorandum of Understanding is available for inspection at the Office of the Chief Administrator, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey. All autobuses operated by private operators shall receive an in-terminal inspection at six-month intervals; once by New Jersey Motor Vehicle Commission personnel during the first six months, and then a self-inspection by the private operator once during the second six-month period. A record of each six-month certification inspection shall be submitted to the New Jersey Motor Vehicle Commission on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (j) New Jersey Motor Vehicle Commission personnel shall perform unannounced audit inspections of self-inspected autobuses to insure compliance with the self-inspection program.

### § 16:53-3.25 Tires and wheels

- (a) An autobus shall be equipped with tires and wheels of sufficient size and construction, as recommended by the manufacturer to meet the GVWR of the autobus.
- (b) An autobus shall not be operated with regrooved, retread, or recapped tires on the front wheels. An autobus shall not be operated on any tire having exposed fabric on the tread or sidewall.
- (c) An autobus shall not be operated unless the front tires have a tread groove of at least 4/32 of an inch when measured in a major tread groove.
- (d) An autobus shall not be operated unless the rear tires have a tread groove of at least 2/32 of an inch when measured in a major tread groove.
- (e) An autobus shall be equipped with tires that are matched in size designation, construction, and profile on the same axle. Radial tires shall not be mixed with other types of tires on the same axle.
- (f) All autobuses shall meet the requirements set forth in 49 CFR § 393.75, incorporated herein by reference, as amended and supplemented.

### § 16:53-3.26 Windshield wipers and washers

Each autobus shall be equipped with windshield wipers and washers sufficient in size and power and maintained so as to provide the driver with clear forward vision. Windshield wipers shall be located and shall operate in accordance with the original equipment manufacturer's specifications.



### § 16:53-3.27 Exhaust system

- (a) The exhaust system shall vent to the rear or on the street side to the rear of the rear wheels of the autobus. No portion of the exhaust system shall be located in a manner that could result in the burning, charring, or damaging of electrical wiring, the fuel supply, or any combustible part of the autobus.
- (b) The exhaust system of an autobus powered by a gasoline engine shall terminate at or within six inches forward of the rearmost part of the autobus and shall discharge gases to the atmosphere to the rear of all doors or windows designed to be opened for ventilation. Windows designed to be opened solely as emergency exits shall not be considered to be designed to be opened for ventilation.
- (c) The exhaust pipe of an autobus, other than a gasoline-powered autobus, shall:
  - 1. Discharge gases to the atmosphere at or within 15 inches forward of the rearmost part of the autobus; or
  - 2. Discharge gases to the atmosphere to the rear of all doors or windows designed to be opened for ventilation. Windows designed to be opened solely as emergency exits shall not be considered to be designed to be opened for ventilation.
- (d) The exhaust system shall be maintained in proper operating condition in conformity with standards promulgated by the New Jersey Department of Environmental Protection.
  - 1. Each autobus exhaust emission system shall be inspected utilizing equipment approved by the New Jersey Department of Environmental Protection.
  - 2. Inspection of the exhaust emission system may be conducted by the operator, by a person designated by the operator, or by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.1.
  - 3. Each autobus shall be inspected every six months by a person qualified to conduct emission testing. Self-inspection emission testing shall be completed within 20 days prior to self-inspection certification. Inspections performed by any person other than New Jersey Motor Vehicle Commission personnel shall require a certification from the individual conducting such inspection indicating his or her qualifications to conduct such a test and the type of equipment used.
- (e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

### § 16:53-3.28 Drive shaft

Any drive shaft extending lengthwise under the floor of the passenger compartment of an autobus shall be protected by means of at least one guard or bracket at that end of the drive shaft which is provided with a sliding connection (splines or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

### § 16:53-3.29 Glazing and window construction

- (a) Glazing shall conform to 49 CFR § 393.60, incorporated herein by reference, as amended and supplemented, and Federal Motor Vehicle Safety Standard No. 205 and 217 (49 CFR § 571.205 and § 571.217), incorporated herein by reference, as amended and supplemented.
- (b) Interior glazing including, but not limited to, mirrors, partitions, cabinets, and lighting fixtures shall be constructed of laminated safety glass or other material approved by the New Jersey Motor Vehicle Commission.

### § 16:53-3.30 Exterior lights and reflectors

- (a) Each autobus shall be equipped with lamps, signaling devices, and reflectors that conform to 49 CFR § 393.11, incorporated herein by reference, as amended and supplemented, and Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.
- (b) Stoplights shall be separate and independent of all other rear lights. One stoplight shall be provided at each side of the vertical centerline of the autobus at the same height and as far apart as practicable. Center stoplights are permissible but shall not be considered as meeting the requirement for separate and independent stoplights. Stoplights shall be no lower than 15 inches nor higher than 72 inches measured from the road surface to the center of the lamp at curb weight.
- (c) When viewed at a distance of 50 feet from the center of the rear of an autobus, rear hazard warning lights shall not be obstructed from view when the engine door(s) is open.

- (d) Back-up lights are required and shall be activated only when the autobus is in reverse.

**§ 16:53-3.31 Horn; audible warning device**

- (a) Each autobus shall be equipped with a horn in proper operating condition to give reasonable warning to others of the approach of the vehicle.
- (b) Each autobus shall be equipped with an audible warning device that shall be activated when the vehicle is in reverse.

**§ 16:53-3.32 Speedometer; odometer**

- (a) Each autobus shall be equipped with a speedometer in proper operating condition capable of indicating the speed of the vehicle in miles per hour and readily visible to the driver.
- (b) Each autobus shall be equipped with an odometer in proper operating condition capable of recording accumulated miles.

**§ 16:53-3.33 Grounding device**

Each autobus, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a grounding device.

**§ 16:53-3.34 Heating, ventilation, and air conditioning**

- (a) A heating system capable of heating the passenger section to a temperature of at least 50 degrees Fahrenheit shall be provided.
- (b) Heating systems using exhaust gas to heat air carried within the passenger section or exhaust gas passing through conductors within the passenger section are prohibited.
- (c) Heating devices using gasoline or other fuel shall be of a type approved by the Underwriters' Laboratories, Inc. and conform to 49 CFR § 393.77, incorporated herein by reference, as amended and supplemented, and all fuel lines shall be located outside of the passenger section.
- (d) Every autobus shall be equipped with a system of ventilation capable of distributing an adequate supply of fresh air throughout the passenger section.
- (e) Every autobus equipped with at least 50 percent non-operational passenger windows as originally designed by the manufacturer shall be equipped with an air conditioner in proper operating condition during the period between May 1 and October 1 of each year.
- (f) Each autobus shall be equipped with a windshield defroster in proper operating condition.

**§ 16:53-3.35 Turntable (articulated)**

The turntable floor shall be properly aligned to prevent the raising or lowering thereof while the autobus is in operation.

**§ 16:53-3.36 Turntable area enclosure**

Bellows or similar devices designed to enclose the portion of the autobus in the turntable area shall be maintained to prevent exhaust fumes or rain, snow, or ice from entering the autobus.

**§ 16:53-3.37 Anti-jackknifing devices**

- (a) An articulated autobus shall be equipped with an interlock to prevent the vehicle from jackknifing while backing up.
- (b) An articulated autobus shall be equipped with an audible or visible signal indicating to the driver when the vehicle is nearing the jackknife position.

### § 16:53-3.38 Fuel system

- (a) All parts of the fuel system shall be securely installed outside of the passenger section and shall be located or protected so as to prevent damage to any part thereof.
- (b) Buses manufactured after January 1, 1974, shall have the fuel supply line fitting located in the top of the tank.
- (c) The filler cap shall be non-detachable, leakproof, and spillproof.
- (d) A gasoline tank shall not be placed below an aisle unless the area over such tank is protected by metal shielding.
- (e) A fuel supply system using a fuel other than gasoline or diesel shall meet all of the requirements set forth in 49 CFR § 393.69, incorporated herein by reference, as amended and supplemented, or National Fire Protection Association Standard 52 "Compressed Natural Gas Vehicular Fuel Systems Code," incorporated herein by reference, as amended and supplemented, whichever is applicable. Copies of the National Fire Protection Association standards may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269, (617) 770-3000.
- (f) All buses manufactured after January 1, 1974 shall be equipped with fuel tanks certified and marked by the manufacturer to be in compliance with 49 CFR § 393.67, incorporated herein by reference, as amended and supplemented, pertaining to liquid fuel tanks. Replacement fuel tanks installed on any bus after January 1, 1974 shall comply with this subsection.
- (g) Fuel and any other combustible material or compressed gas, other than compressed gas contained in fire extinguishers, shall not be carried or stored in the passenger compartment.
- (h) Fuel tanks and systems shall conform to 49 CFR § 393.65, incorporated herein by reference, as amended and supplemented, and either 49 CFR § 393.67 or § 393.69, whichever is applicable, incorporated herein by reference, as amended and supplemented.

### § 16:53-3.39 Fire extinguisher

Fire extinguishers are required on all buses and shall be designed, constructed, and maintained as provided in 49 CFR § 393.95, incorporated herein by reference, as amended and supplemented.

### § 16:53-3.40 Mirrors; video camera

- (a) Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.
- (b) A video camera may be installed to enable the driver to view the exterior rear of the bus. The camera shall be operable only while the bus is in reverse.

### § 16:53-3.41 Video monitor and/or television receiver installation for passenger use

- (a) A bus shall not have a video monitor, except as otherwise provided in N.J.A.C. 16:53-3.40(b), and/or a television receiver installed in such a manner that the viewing screen is visible to the driver while operating the bus.
- (b) The operation of a video monitor and/or television receiver, other than the on/off and volume functions, shall be performed at a location other than the driver's seat.
- (c) A viewing screen shall be installed in such a manner so as to minimize passenger contact therewith. A viewing screen shall not block normal access to the aisle or emergency escape windows.
- (d) A viewing screen placed above a passenger seat shall be installed in such a manner so as to allow a passenger to sit in the seat below the viewing screen without coming in contact with it.
- (e) Except for the viewing screen and the front perimeter of the housing of the video monitor or television receiver, the video monitor or television receiver shall be enclosed in a material designed to soften any passenger impact with the chassis of the unit or its mounting components. Ventilation holes are permitted.
- (f) All video equipment shall be securely mounted to the bus so that such equipment cannot be moved without being intentionally unfastened. In lieu of this requirement, video equipment shall be inside of an enclosure to prevent its shifting or falling on the driver or passengers.
- (g) Wiring shall be installed in a workmanlike manner and shall be equipped with an overload protector.

### § 16:53-3.42 Lavatory

- (a) An autobus that is equipped with a lavatory shall have:
  1. An audible or visible signal to alert the driver of an emergency, which shall be clearly marked "EMERGENCY SIGNAL";
  2. Adequate lighting; and
  3. A door lock that normally operates only from the inside, with key provision for emergency access from the outside of the lavatory.

#### **§ 16:53-3.43 Steps**

- (a) The first step at entrance areas shall not exceed 16 inches from the ground when the autobus is unloaded.
- (b) The surface of all steps shall be of a nonskid material.
- (c) Steps shall not extend beyond the body limits to a degree that could result in bodily injury or property damage.

#### **§ 16:53-3.44 Sun visor**

An autobus shall be equipped with an interior sun visor for the use of the driver.

#### **§ 16:53-3.45 Baggage racks and compartments**

- (a) Exterior baggage racks are prohibited.
- (b) Interior baggage shall be carried in a manner so as not to interfere with any passenger's seat, safety, or comfort.

### **SUBCHAPTER 4. AUTOBUSES AND SMALL AUTOBUSES WITH MODIFIED INTERIORS** **N.J.A.C. 16:53-4.1 (2014)**

#### **§ 16:53-4.1 Scope**

- (a) This subchapter shall apply to autobuses as defined in N.J.A.C. 16:53-3.1(f) and small autobuses as defined in N.J.A.C. 16:53-6.1(f) in which conventional interior arrangements have been changed and special equipment installed.
- (b) Except as otherwise provided in this subchapter, an autobus or small autobus in which the conventional interior has been modified prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any such modified autobus or small autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any such modified autobus or small autobus for which a contract of sale or purchase order was entered into before September 1, 2002, and any such modified autobus or small autobus that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.
- (c) An autobus or small autobus in which the conventional interior has been modified between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any such modified autobus or small autobus in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any such modified autobus or small autobus for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any such modified autobus or small autobus that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (d) Notwithstanding (b) and (c) above, this section shall not be deemed to exempt any autobus or small autobus in which the conventional interior has been modified from any applicable requirements imposed upon such vehicles

by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-4.2 Seating**

- (a) All seats shall be securely fastened.
- (b) An autobus shall have an aisle that extends the entire length of the vehicle. The aisle shall have a minimum width of 14 inches, and shall be unobstructed.
- (c) A small autobus shall have an aisle that extends the entire length of the vehicle. The aisle shall have a minimum width of 12 inches, and shall be unobstructed.

#### **§ 16:53-4.3 Passageways**

- (a) Original service doors, steps, controls, and passageway lighting shall not be modified.
- (b) Trap doors over entrance steps shall not be permitted.

#### **§ 16:53-4.4 Fire extinguisher**

A fire extinguisher that complies with 49 CFR § 393.95, incorporated herein by reference, as amended and supplemented, shall be located adjacent to any interior auxiliary equipment that could produce a fire hazard (including, but not limited to, a microwave oven or stove).

#### **§ 16:53-4.5 Installation of special equipment**

Special equipment including, but not limited to, auxiliary engines, generators, microwave ovens, refrigerators, and televisions shall be installed according to the manufacturer's specifications and, with regard to the installation of televisions, shall conform to 49 CFR § 393.88, incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-4.6 Driver's compartment partition**

A partition shall be provided as required in N.J.A.C. 16:53-3.5. In no case shall a door or similar device completely separate the driver from the interior of the autobus or small autobus.

#### **§ 16:53-4.7 Passenger signal**

Passenger signals are not required.

### **SUBCHAPTER 5. CERTIFICATES**

N.J.A.C. 16:53-5.1 (2014)

#### **§ 16:53-5.1 Fee for issuance**

- (a) A certificate of compliance, as required by law and the rules of the New Jersey Motor Vehicle Commission, shall not be issued to an operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus unless the statutory fee therefor has been paid to the New Jersey Motor Vehicle Commission.
- (b) A certificate of inspection shall not be issued to any operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus unless the statutory fee therefor has been paid to the New Jersey Motor Vehicle Commission.
- (c) A certificate of inspection or compliance shall not be issued if payment of the statutory fee remains outstanding to the New Jersey Motor Vehicle Commission.
- (d) A notice of discontinuance shall be affixed to any vehicle that fails the required inspection.

**§ 16:53-5.2 Registration certificates; omnibus and apportioned vehicle license plates**

- (a) An initial vehicle registration certificate and omnibus or apportioned vehicle license plates, as required by law, shall not be issued to any operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus unless an Autobus Certificate of Compliance (MC-9) as set forth in chapter Appendix B, incorporated herein by reference, and an Authorization to Issue or Renew License Plates (CMC-12) as set forth in chapter Appendix C, incorporated herein by reference, have been issued for such vehicle by the Motor Vehicle Commission's Commercial Bus Inspection and Investigation Unit.
- (b) An operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus shall present to the Motor Vehicle Commission the Autobus Certificate of Compliance (MC-9) and the Authorization to Issue or Renew License Plates (CMC-12) at the time of application for an initial vehicle registration certificate and omnibus or apportioned vehicle license plates.
- (c) A vehicle registration certificate renewal and renewal of omnibus or apportioned vehicle license plates, as required by law, shall not be issued to any operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus unless an Authorization to Issue or Renew License Plates (CMC-12) as set forth in chapter Appendix C, incorporated herein by reference, has been issued for such vehicle by the Motor Vehicle Commission's Commercial Bus Inspection and Investigation Unit.
- (d) An operator of a van-type autobus, an autobus, a small autobus, a special autobus-type recreational vehicle, or a sedan-type autobus shall present to the Motor Vehicle Commission the Authorization to Issue or Renew License Plates (CMC-12) at the time of application for a renewal of a vehicle registration certificate and omnibus or apportioned vehicle license plates.

**SUBCHAPTER 6. SPECIFICATIONS FOR SMALL AUTOBUSES**  
**N.J.A.C. 16:53-6.1 (2014)****§ 16:53-6.1 Scope**

- (a) Except as otherwise provided in this subchapter, the New Jersey Motor Vehicle Commission hereby adopts and incorporates by reference the rules pertaining to the safety of equipment promulgated by the United States Department of Transportation set forth in 49 CFR Part 393, as amended and supplemented. A copy of 49 CFR Part 393 may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (866) 512-1800.
- (b) Any small autobus in operation or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any small autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any small autobus for which a contract of sale or purchase order was entered into before September 1, 2002, and any new small autobus that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.
- (c) Any small autobus in operation or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any small autobus in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any small autobus for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any new small autobus that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (d) Notwithstanding (b) and (c) above, this section shall not be deemed to exempt any small autobus from any applicable requirements imposed upon such vehicles by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.

- (e) The specifications set forth in this subchapter shall apply to all small autobuses engaged in interstate or intrastate common carrier service that are subject to the New Jersey Motor Vehicle Commission's jurisdiction and for which certificates of compliance of the New Jersey Motor Vehicle Commission are required.
- (f) For purposes of this subchapter, a small autobus shall be defined as a motor vehicle used in the transportation of passengers for hire having a seating capacity of no more than 25 adult passengers, not including the driver.

#### **§ 16:53-6.2 (Reserved)**

#### **§ 16:53-6.3 Dimensions**

- (a) The overall length of a small autobus, excluding the bumpers, shall not exceed 30 feet.
- (b) The overall width of a small autobus shall not exceed 102 inches outside measurement, measured at the widest part of the body. Mirrors, fender moldings, and other similar accessories shall not be included in determining body width.
- (c) The overall height of a small autobus shall not exceed 13 feet, six inches.

#### **§ 16:53-6.4 Chassis and body construction**

- (a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight and the allowable payload, as recommended by the chassis manufacturer.
- (b) Axles, springs, tires, and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum gross vehicle weight rating.
- (c) The gross vehicle weight rating certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the small autobus in a location that is readily visible for inspection. At no time shall the gross vehicle weight rating be exceeded.
- (d) The body shall be mounted on an appropriate chassis and shall be free of sharp or jagged edges.
- (e) Each small autobus shall be equipped with a front and rear bumper of sufficient size and strength attached to the main chassis frame supporting the body and extending the full width of the body.

#### **§ 16:53-6.5 Equipment unit**

- (a) A small autobus shall be of the single unit type with the motive power and passenger compartment mounted as one unit.
- (b) Trailers of any type are prohibited.

#### **§ 16:53-6.6 Interior**

- (a) The interior shall be free of unnecessary projections. Body panels, seats, flooring, and all other component parts of the body shall be installed in a workmanlike manner and be free of sharp or jagged edges, protruding nails, screws, or similar objects.
- (b) The interior shall be equipped with inner linings on the ceiling and side walls covering all body bows and body supports.

#### **§ 16:53-6.7 Aisle**

The aisle of a small autobus shall be not less than 12 inches wide and 68 inches high.

#### **§ 16:53-6.8 Seating**

- (a) A transverse seat width of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a transverse seat width of not less than 19 inches. Seats shall have unobstructed kneeroom of not less than seven inches across the full width of the seat.
- (b) Seats shall be of substantial construction and securely mounted to the floor and/or sides. Perimeter seating is permitted. Stanchions shall be provided, evenly spaced on each side of the aisle for use when carrying standees.
- (c) Portable seats and seats not securely and permanently mounted to the floor are prohibited.
- (d) The total number of passengers shall not exceed the capacity of the small autobus as specified by the manufacturer or the New Jersey Motor Vehicle Commission's rated passenger capacity as designated on the Commission's certificate of compliance.

- (e) Wheelchair positions may be rear or forward-facing. Wheelchair positions in small autobuses that are used to transport students to or from school or school-connected activities shall be forward-facing. Wheelchair positions shall conform to Federal Motor Vehicle Safety Standard No. 208, 209 and 210 (49 CFR § 571.208, § 571.209 and § 571.210), incorporated herein by reference, as amended and supplemented.
- (f) A tour guide seat may be installed to the right of the center aisle, provided that such seat shall not be occupied by a person other than an employee of the autobus company. The tour guide seat shall be equipped with a seat belt.

#### **§ 16:53-6.9 Glazing**

- (a) All glazing shall conform to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented.
- (b) Interior glazing including, but not limited to, mirrors, partitions, cabinets, and lighting fixtures shall be constructed of laminated safety glass or other material approved by the New Jersey Motor Vehicle Commission

#### **§ 16:53-6.10 Lights; reflectors**

- (a) Interior lighting shall be sufficient in number to provide proper illumination.
- (b) Exterior lights shall conform to 49 CFR § 393.11, incorporated herein by reference, as amended and supplemented, and Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.
- (c) A small autobus shall be equipped with rear reflectors on each side in accordance with Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented. Reflectors shall be mounted not more than 60 inches nor less than 24 inches as measured from the center of the reflector to the level surface upon which the small autobus stands.
- (d) At least one step light shall be provided at each service door.
- (e) Stoplights shall be separate and independent of all other rear lights. One stoplight shall be provided at each side of the vertical centerline of the small autobus at the same height and as far apart as practicable. Center stoplights are permissible but shall not be considered as meeting the requirement for separate and independent stoplights. Stoplights shall be no lower than 15 inches nor higher than 72 inches measured from the road surface to the center of the lamp at curb weight.

#### **§ 16:53-6.11 Mirrors**

- (a) Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.
- (b) Exterior left and right side mirrors shall be low mount, firmly supported, and easily adjustable.
- (c) A video camera may be installed to enable the driver to view the exterior rear of the small autobus. The camera shall be operable only while the small autobus is in reverse.

#### **§ 16:53-6.12 Brakes**

- (a) Brakes shall conform to the manufacturer's specifications applicable to the gross vehicle weight rating of the small autobus.
- (b) A hydraulic service brake system shall be of the dual (split) type and shall meet Federal Motor Vehicle Safety Standard No. 105 (49 CFR § 571.105), incorporated herein by reference, as amended and supplemented.
- (c) Service brakes shall be power-actuated and shall operate on all wheels.
- (d) Service brakes shall be constructed and maintained to stop the small autobus at a rate of deceleration equivalent to a stop in 25 feet or less from a speed of 20 miles per hour.
- (e) A small autobus shall be equipped with two independent brake systems having two sets of controls that are capable of being actuated independently of each other.
- (f) If a small autobus is equipped with a mechanical parking brake, such parking brake shall be constructed and maintained to hold the small autobus in a stopped position with the transmission in a forward gear while the parking brake is applied.
- (g) Brake stopping distances shall be measured by means of an instrument or machine of the decelerometer-type capable of being read in feet.
  1. Each small autobus shall meet the brake stop test requirement on an approved decelerometer that has been calibrated for accuracy.
  2. Brake stop test equipment shall be owned by the operator, or arrangements shall be made for its use by the operator, or such equipment shall be provided to the operator by others, or the operator may



choose to have such testing performed by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.2.

3. The brake stop test shall be performed within 20 days prior to self-inspection certification.
- (h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standards shall be discarded.
- (i) When the emergency brake is activated by the loss of the system to the main service brakes, the driver, without leaving his or her seat, shall be able to override the emergency brake a minimum of three times. The control to operate the override shall be of a "dead man" type, necessitating constant driver effort to use. All small autobuses manufactured after March 1975 equipped with an air brake system shall comply with Federal Motor Vehicle Safety Standard No. 121 (49 CFR § 571.121), incorporated herein by reference, as amended and supplemented, pertaining to split system and emergency application.
- (j) Any system source to activate the emergency brake shall be separate and independent of the main service brake system supply source.
- (k) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:
1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes or less.
  2. Reservoir capacity shall be sufficient to maintain 60 pounds per square inch after four full brake applications. This shall be accomplished with the engine and compressor shut down and the parking brake released.
  3. Compressed air reservoir systems shall be equipped with a safety valve that shall vent to the atmosphere. The safety valve setting shall not be in excess of 1 1/2 times the maximum air compressor governed pressure setting.
  4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches and shall be used for braking purposes only.
  5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum within the following times:
    - i. Intake manifold of engine, one minute; and
    - ii. Vacuum pump, two minutes.
- (l) Brake systems shall be equipped with an air pressure or vacuum gauge, indicating pounds per square inch or inches of mercury, located in clear view of the driver and illuminated during the period when lighted lamps are required.
- (m) Small autobuses equipped with brake systems actuated by compressed air shall be equipped with an audible or visible signal, within hearing or full view of the driver to indicate that air pressure is at least one-half of the compressor governor cut-out pressure. Small autobuses equipped with brake systems actuated by vacuum power shall be equipped with an audible or visible signal within hearing or full view of the driver whenever the vacuum in the vehicle's supply reservoir is less than eight inches of mercury.
- (n) Brake linings and pads shall meet the manufacturer's specifications for minimum thickness.

#### **§ 16:53-6.13 Tires and wheels**

- (a) A small autobus shall be equipped with tires and wheels of sufficient size and construction as recommended by the manufacturer to meet the gross vehicle weight rating of the small autobus.
- (b) A small autobus shall not be operated on any tire having exposed fabric on the tread or sidewall.
- (c) The front tires of a small autobus shall have a minimum tread groove of 4/32 of an inch. The rear tires of a small autobus shall have a minimum tread groove of 2/32 of an inch. Measurements shall be made at any point on a major tread groove except where tie bars, humps, or fillets are located.
- (d) A small autobus shall not be operated with regrooved, recapped, or retread tires on the front wheels.
- (e) A small autobus shall be equipped with tires that are matched in size designation, construction, and profile on the same axle. Radial tires shall not be mixed with other types of tires on the same axle.

#### **§ 16:53-6.14 Heating, ventilation, and air conditioning**

- (a) A heating system capable of heating the passenger section to a temperature of at least 50 degrees Fahrenheit shall be provided.

(b) Heating systems using exhaust gas to heat air carried within the passenger section or exhaust gas passing through conductors within the passenger section are prohibited.

(c) Heating devices using gasoline or other fuel shall be of a type approved by the Underwriters' Laboratories, Inc. and conform to 49 CFR § 393.77, incorporated herein by reference, as amended and supplemented, and shall be located outside of the passenger section.

(d) Every small autobus shall be equipped with a system of ventilation capable of distributing an adequate supply of fresh air throughout the passenger section.

(e) Every small autobus equipped with at least 50 percent non-operational passenger windows as originally designed by the manufacturer shall be equipped with an air conditioner in proper operating condition during the period between May 1 and October 1 of each year.

(f) Each small autobus shall be equipped with a windshield defroster in proper operating condition.

#### **§ 16:53-6.15 Fuel tanks and fuel systems**

- (a) Fuel tanks and systems shall meet all applicable Federal requirements as set forth in Federal Motor Vehicle Safety Standard No. 301 (49 CFR § 571.301), incorporated herein by reference, as amended and supplemented, and 49 CFR § 393.65 and § 393.67, incorporated herein by reference, as amended and supplemented.
- (b) Fuel tanks and filler pipes shall be located wholly outside of the body to the rear of the line of the windshield and/or the front axle, as physical conditions permit, and be properly insulated to prevent fire.
- (c) Fuel tanks shall be constructed and located in a manner that will permit the filling and draining thereof only from the outside of the small autobus.
- (d) The filler cap shall be non-detachable, leakproof, and spillproof.
- (e) Fuel and any other combustible material or compressed gas, other than compressed gas contained in fire extinguishers, shall not be carried or stored in the passenger compartment.

#### **§ 16:53-6.16 Exhaust system**

- (a) The exhaust system shall be securely installed entirely outside of the vehicle body. The exhaust system shall be equipped with a muffler in proper operating condition. The exhaust system shall be free of leaks. Flexible pipe or tubing is prohibited in the exhaust system.
- (b) The exhaust system shall vent to the rear or on the street side to the rear of the rear wheels.
- (c) The engine shall be maintained in proper operating condition so as to prevent the emission of excessive smoke or other air contaminants. Small autobuses shall meet the New Jersey Department of Environmental Protection motor vehicle emission inspection standards applicable to the type of engine installed.
  - 1. Each exhaust emission system shall be inspected utilizing equipment approved by the New Jersey Department of Environmental Protection.
  - 2. Inspection of the exhaust emission system may be conducted by the operator, by a person designated by the operator, or by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.1.
  - 3. Each small autobus shall be inspected every six months by a person qualified to conduct emission testing. Self-inspection emission testing shall be completed within 20 days prior to self-inspection certification. Inspections performed by any person other than New Jersey Motor Vehicle Commission personnel shall require a certification from the individual conducting such inspection indicating his or her qualifications to conduct such a test and the type of equipment used.
- (d) No portion of the exhaust system shall be located in a manner that could result in the burning or damaging of electrical wiring, fuel system components, or any combustible part of the small autobus.
- (e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

#### **§ 16:53-6.17 Windshield wipers and washers**

(a) Small autobuses shall be equipped with windshield wipers and washers sufficient in size and power and maintained so as to provide the driver with clear forward vision. Windshield wipers shall be located and shall operate in accordance with the original equipment manufacturer's specifications.

(b) Windshield wipers shall be of variable speed and electrically-operated.

#### **§ 16:53-6.18 Steps**

- (a) The first step at the entrance area shall not exceed 16 inches from the ground when the small autobus is unloaded.
- (b) The surface of all steps shall be of a nonskid material.
- (c) Steps shall not extend beyond the body limits to a degree that could result in bodily injury or property damage.

#### **§ 16:53-6.19 Sun visor**

A small autobus shall be equipped with an interior sun visor for the use of the driver.

#### **§ 16:53-6.20 Baggage racks and compartments**

- (a) Exterior baggage racks shall be constructed so that all baggage is held in a secure manner under all conditions of operation.
- (b) Ladders or any other similar means of reaching the exterior baggage racks shall be prohibited unless protection is provided that will prevent the possibility of ride hitching.
- (c) An interior baggage area shall be separated from the passenger compartment by a partition of sufficient strength and construction installed in a workmanlike manner to safely separate the areas. A partition shall not intrude past the rear of the rear seat with or without baggage on board. Interior baggage shall be carried in a manner so as not to interfere with any passenger's seat, safety, or comfort.

#### **N.J.A.C. 16:53-6.21 (2014)**

- (a) § 16:53-6.21 Identification
  - (a) A small autobus shall not be operated unless it displays on each side of its exterior the exact name of the operator in clearly visible letters at least three inches high and of a sharply contrasting color from the background.
  - (b) Every small autobus shall be assigned an identification number by the operator. This number shall be displayed on the interior front, and on the front, rear, and both sides of the exterior. Interior and exterior numbers shall be at least three inches high and of a sharply contrasting color from the background. The number at the rear shall be displayed at least 60 inches from the ground.
  - (c) Each small autobus shall display on the right-hand side thereof the number of the New Jersey Motor Vehicle Commission's certificate of compliance and the charter number, if applicable, in letters and numbers three inches high in the following style: NJMVC 12345 and/or NJMVC 123C.

#### **§ 16:53-6.22 Certification of inspection**

- (a) An authorized New Jersey Motor Vehicle Commission employee or company official (private operator) shall affix a certificate of inspection (inspection sticker) to a small autobus at the completion of each six-month certification inspection.
- (b) A certificate of inspection shall not be issued without certification by the person authorized to inspect the small autobus verifying that the vehicle was inspected, is in proper and safe condition, and complies with all requirements of the New Jersey Motor Vehicle Commission. The required certification shall be made on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (c) A small autobus shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission, visible from the exterior, on the lower right corner of the right-hand windshield.
- (d) Each small autobus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.
- (e) Any person who issues a certificate of inspection or submits a certification to the New Jersey Motor Vehicle Commission without the required inspection and/or repair having been performed shall be deemed to be in noncompliance with N.J.S.A. 48:4-2.1a and this subchapter. A notice of discontinuance shall be affixed to any small autobus for which the required inspection and/or repair has not been performed.
- (f) A notice of discontinuance shall be affixed to any small autobus that fails the required inspection.
- (g) A certificate of inspection or compliance shall not be issued if payment of a statutory or regulatory fee remains outstanding to the New Jersey Motor Vehicle Commission.

#### **§ 16:53-6.23 Drive shaft**

Any drive shaft extending lengthwise under the floor of the passenger compartment of a small autobus shall be protected by means of at least one guard or bracket at that end of the drive shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

#### **§ 16:53-6.24 Signs**

- (a) An illuminated sign indicating route, where applicable, and destination shall be provided, so designed and located that it may be read by day or night. Such sign shall not interfere with the driver's view or produce an annoying glare.
- (b) The destination sign requirement set forth in (a) above may be waived provided the operator receives written approval from the New Jersey Motor Vehicle Commission.
- (c) A sign shall be provided indicating that smoking on autobuses is prohibited by law.
- (d) Every small autobus shall have a sign with letters at least one-half inch high indicating that it is a violation of the Federal Motor Carrier Safety Administration's regulations for a bus to be operated with persons occupying the prohibited area as provided in 49 CFR § 393.90, incorporated herein by reference, as amended and supplemented.
- (e) A sign shall be provided that indicates the location of the fire extinguisher if the fire extinguisher is not readily visible.
- (f) All signs required by (c), (d) and (e) above shall be located in the interior front of the small autobus.

#### **§ 16:53-6.25 Overhang of body**

- (a) The maximum overhang of the body to the rear of a load-bearing rear axle shall not exceed one-third of the total length of the small autobus.
- (b) Vehicle measurements shall be taken from the extreme front to the extreme rear of the small autobus, not including the bumpers.
- (c) Overhang measurements shall be taken from the center of the rear load-bearing axle to the extreme rear end of the small autobus, not including the rear bumper.

#### **§ 16:53-6.26 Speedometer; odometer**

- (a) Each small autobus shall be equipped with a speedometer in proper operating condition capable of indicating the speed of the vehicle in miles per hour and readily visible to the driver.
- (b) Each small autobus shall be equipped with an odometer in proper operating condition capable of recording accumulated miles.

#### **§ 16:53-6.27 Horn; audible warning device**

- (a) Each small autobus shall be equipped with a horn in proper operating condition to give reasonable warning to others of the approach of the vehicle.
- (b) Each small autobus shall be equipped with an audible warning device that shall be activated when the vehicle is in reverse.

#### **§ 16:53-6.28 Grounding device**

Each small autobus, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a grounding device.

#### **§ 16:53-6.29 Partition and curtain**

Each small autobus shall be equipped with a partition of metal, or with a partition of safety glass or rigid plastic that conforms to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented. The partition shall be located to the rear of the driver's seat. A partition of safety glass or rigid plastic shall be tinted or covered by a curtain, if necessary, to shield the driver from the glare of inside lights. The minimum dimensions of drivers' partitions shall be 18 inches wide and shall extend upward from at least two inches below the top of the driver's seatback to not less than 18 inches from the ceiling.

### § 16:53-6.30 Bumpers

- (a) Each small autobus shall be equipped with a front and rear bumper of sufficient size and strength attached to the main frame supporting the body and extending the full width of the body.
- (b) The rear bumper shall extend at least four inches beyond the body limits and be shielded on the top to prevent toehold, except on a small autobus constructed with its engine attached to the extreme rear end of the chassis frame or one having a similarly sized compartment between the extreme rear of the bus body and rear seat in the passenger compartment.

### § 16:53-6.31 Maintenance and inspection

- (a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.
- (b) All equipment shall receive a specification inspection by New Jersey Motor Vehicle Commission personnel in order to insure compliance with all of the Commission's specifications. All small autobuses that meet New Jersey Motor Vehicle Commission specifications shall be issued a certificate of compliance.
- (c) All small autobuses for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall receive a certification inspection at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent certification inspections of such vehicles by Commission personnel when the safety of the public so requires.
- (d) A systematic maintenance record shall be kept for each small autobus showing the vehicle identification number, driver, dates of breakdowns, defects reported, and corrective measures taken. The records shall be retained by the operator for at least 12 months and shall be available for review by the New Jersey Motor Vehicle Commission.
- (e) Each small autobus shall receive a complete inspection at regular time and/or mileage intervals for mechanical or structural defects. All necessary repairs shall be completed and a certificate of inspection affixed in accordance with N.J.A.C. 16:53-6.22 before the small autobus is returned to service. An itemized record of each inspection showing the date, vehicle identification number, lubrication record, repairs and adjustments, and signed by the person making such inspection, shall be available at the inspection site at the time of inspection and for at least 12 months thereafter, and shall be available for review by the New Jersey Motor Vehicle Commission.
- (f) The maintenance facilities shall be adequate to assure compliance with specifications herein and shall include either a suitable pit or lift or an arrangement for the use of such facilities.
- (g) The entire small autobus shall be kept clean and sanitary.
- (h) The self-inspection certification does not apply to small autobuses certified for school use. Such vehicles shall be inspected biannually by New Jersey Motor Vehicle Commission personnel.
- (i) All small autobuses directly operated by the New Jersey Transit Corporation shall be on a six-month full New Jersey Motor Vehicle Commission inspection program in accordance with the August 2000 Memorandum of Understanding entered into between the New Jersey Transit Corporation and the New Jersey Department of Transportation. The Memorandum of Understanding is available for inspection at the Office of the Chief Administrator, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey. All small autobuses operated by private operators shall receive an in-terminal inspection at six-month intervals; once by New Jersey Motor Vehicle Commission personnel during the first six months, and then a self-inspection by the private operator once during the second six-month period. A record of each six-month certification inspection shall be submitted to the New Jersey Motor Vehicle Commission on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (j) New Jersey Motor Vehicle Commission personnel shall perform unannounced audit inspections of self-inspected small autobuses to insure compliance with the self-inspection program.

### § 16:53-6.32 Special equipment

Special equipment used to transport passengers in wheelchairs shall comply with N.J.A.C. 16:53-2.

### § 16:53-6.33 Fire extinguisher

Every small autobus shall be equipped with a fire extinguisher having a minimum Underwriters' Laboratories rating of 5BC. The fire extinguisher shall be permanently mounted and readily accessible to the driver.

### § 16:53-6.34 Window openings

- (a) Each window opening, other than the driver's window, shall be restricted to a maximum of six inches.
- (b) On small autobuses that are used to transport children to or from school or school-connected activities, each full side window shall provide an unobstructed emergency opening at least nine inches high and 22 inches wide, obtained by lowering the window.

## **SUBCHAPTER 7. SPECIFICATIONS FOR SPECIAL AUTOBUS-TYPE RECREATIONAL VEHICLES**

N.J.A.C. 16:53-7.1 (2014)

### **§ 16:53-7.1 Scope**

- (a) This subchapter shall apply to all special autobus-type recreational vehicles described herein, subject to the New Jersey Motor Vehicle Commission's jurisdiction, and for which a certificate of compliance of the New Jersey Motor Vehicle Commission is required.
- (b) For purposes of this subchapter, a special autobus-type recreational vehicle is defined as a motor vehicle used in resort areas or areas of public interest on public streets.
- (c) Any special autobus-type recreational vehicle in operation or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any special autobus-type recreational vehicle in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any special autobus-type recreational vehicle for which a contract of sale or purchase order was entered into before September 1, 2002, and any new special autobus-type recreational vehicle that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.
- (d) Any special autobus-type recreational vehicle in operation or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any special autobus-type recreational vehicle in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any special autobus-type recreational vehicle for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any new special autobus-type recreational vehicle that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (e) Notwithstanding (c) and (d) above, this section shall not be deemed to exempt any special autobus-type recreational vehicle from any applicable requirements imposed upon such vehicles by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.
- (f) For purposes of this subchapter, a special autobus-type recreational vehicle shall have a device (governor) in proper operating condition that restricts the maximum speed of the vehicle to 25 miles per hour while carrying passengers.

### **§ 16:53-7.2 Dimensions**

The overall length of a special autobus-type recreational vehicle, excluding the bumpers, shall not exceed 30 feet.

### **§ 16:53-7.3 Chassis and body construction**

- (a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight (GVW) and the allowable payload, as recommended by the chassis manufacturer.
- (b) Axles, springs, tire and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.

- (c) The gross vehicle weight rating certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the special autobus-type recreational vehicle in a location that is readily visible for inspection. At no time shall the gross vehicle weight rating be exceeded.
- (d) The body shall be mounted on an appropriate chassis and shall be free of sharp or jagged edges.

#### **§ 16:53-7.4 Equipment unit**

- (a) The special autobus-type recreational vehicle shall be of the single unit type with the motive power and passenger compartment mounted as one unit.
- (b) Trailers of any type are prohibited.

#### **§ 16:53-7.5 Interior**

The interior shall be free of unnecessary projections. Body panels, seats, flooring, and all other component parts of the body shall be installed in a workmanlike manner and be free of sharp or jagged edges, protruding nails, screws, or similar objects.

#### **§ 16:53-7.6 Aisle**

The aisle of a special autobus-type recreational vehicle shall not be less than 14 inches wide and 68 inches high.

#### **§ 16:53-7.7 Seating**

- (a) A transverse seat space of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a transverse seat space of not less than 19 inches. Seats shall have unobstructed kneeroom of not less than seven inches across the full width of the seat.
- (b) Seats shall be of substantial construction and securely mounted to the floor and/or sides.
- (c) Portable seats and seats not securely and permanently mounted to the floor are prohibited.
- (d) The total number of passengers shall not exceed the capacity of the special autobus-type recreational vehicle as specified by the manufacturer or the New Jersey Motor Vehicle Commission's rated seating capacity as designated on the Commission's certificate of compliance.
- (e) A tour guide seat may be installed to the right of the center aisle, provided that such seat shall not be occupied by a person other than an employee of the autobus company. The tour guide seat shall be equipped with a seat belt.

#### **§ 16:53-7.8 Glazing**

- (a) All glazing shall conform to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented.
- (b) Interior glazing including, but not limited to, mirrors, partitions, cabinets, and lighting fixtures shall be constructed of laminated safety glass or other material approved by the New Jersey Motor Vehicle Commission.

#### **§ 16:53-7.9 Lights; reflectors**

- (a) Interior lighting shall be sufficient in number to provide proper illumination.
- (b) Exterior lights shall conform to 49 CFR § 393.11, incorporated herein by reference, as amended and supplemented, and Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.
- (c) Special autobus-type recreational vehicles shall be equipped with rear reflectors on each side in accordance with 49 CFR § 393.11, incorporated herein by reference, as amended and supplemented, and Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented. Reflectors shall be mounted not more than 60 inches nor less than 24 inches as measured from the center of the reflector to the level surface upon which the special autobus-type recreational vehicle stands.
- (d) At least one step light shall be provided at each service door.

#### **§ 16:53-7.10 Mirrors**

- (a) Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.
- (b) Exterior left and right side mirrors shall be low mount, firmly supported, and easily adjustable.
- (a) (c) A video camera may be installed to enable the driver to view the exterior rear of the special autobus-type recreational vehicle. The camera shall be operable only while the special autobus-type recreational vehicle is in reverse

#### § 16:53-7.11 Brakes

- (a) Brakes shall conform to the manufacturer's specifications applicable to the gross vehicle weight rating of the special autobus-type recreational vehicle.
- (b) A hydraulic service brake system shall be of the dual (split) type and shall meet Federal Motor Vehicle Safety Standard No. 105 (49 CFR § 571.105), incorporated herein by reference, as amended and supplemented.
- (c) Service brakes shall be power-actuated and shall operate on all wheels.
- (d) Service brakes shall be constructed and maintained to stop the special autobus-type recreational vehicle in 25 feet or less from a speed of 20 miles per hour.
- (e) A special autobus-type recreational vehicle shall be equipped with two independent brake systems having two sets of controls that are capable of being actuated independently of each other.
- (f) If a special autobus-type recreational vehicle is equipped with a mechanical parking brake, such parking brake shall be constructed and maintained to hold the vehicle in a stopped position with the transmission in a forward gear while the parking brake is applied.
- (g) Brake stopping distances shall be measured by means of an instrument or machine of the decelerometer-type capable of being read in feet.
  1. Each special autobus-type recreational vehicle shall meet the brake stop test requirement on an approved decelerometer that has been calibrated for accuracy.
  2. Brake stop test equipment shall be owned by the operator, or arrangements shall be made for its use by the operator, or such equipment shall be provided to the operator by others, or the operator may choose to have such testing performed by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.2.
  3. The brake stop test shall be performed within 20 days prior to self-inspection certification.
- (h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standards shall be discarded.
- (i) When the emergency brake is activated by the loss of the system to the main service brakes, the driver, without leaving his or her seat, shall be able to override the emergency brake a minimum of three times. The control to operate the override shall be of a "dead man" type, necessitating constant driver effort to use. All special autobus-type recreational vehicles manufactured after March 1975 equipped with an air brake system shall comply with Federal Motor Vehicle Safety Standard No. 121 (49 CFR § 571.121), incorporated herein by reference, as amended and supplemented, pertaining to split system and emergency application.
- (j) Any system source to activate the emergency brake shall be separate and independent of the main service brake system supply source.
- (k) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:
  1. Compressed air brake system shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes or less.
  2. Reservoir capacity shall be sufficient to maintain 60 pounds per square inch after four full brake applications. This shall be accomplished with the engine and compressor shut down and the parking brake released.
  3. Compressed air reservoir systems shall be equipped with a safety valve that shall vent to the atmosphere. The safety valve setting shall not be in excess of 1 1/2 times the maximum air compressor governed pressure setting.



4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches and shall be used for braking purposes only.
  5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum within the following times:
    - i. Intake manifold of engine, one minute; and
    - ii. Vacuum pump, two minutes.
- (l) Brake systems shall be equipped with an air pressure or vacuum gauge, indicating pounds per square inch or inches of mercury, located in clear view of the driver and illuminated during the period when lighted lamps are required.
- (m) Special autobus-type recreational vehicles equipped with brake systems actuated by compressed air shall be equipped with an audible or visible signal within hearing or full view of the driver to indicate that air pressure is at least one-half of the compressor governor cut-out pressure. Special autobus-type recreational vehicles equipped with brake systems actuated by vacuum power shall be equipped with an audible or visible signal within hearing or full view of the driver whenever the vacuum in the vehicle's supply reservoir is less than eight inches of mercury.
- (n) Brake linings and pads shall meet the manufacturer's specifications for minimum thickness.

#### **§ 16:53-7.12 Tires and wheels**

- (a) A special autobus-type recreational vehicle shall be equipped with tires and wheels of sufficient size and construction as recommended by the manufacturer to meet the gross vehicle weight rating of the special autobus-type recreational vehicle.
- (b) A special autobus-type recreational vehicle shall not be operated on any tire having exposed fabric on the tread or sidewall.
- (c) The front tires of a special autobus-type recreational vehicle shall have a minimum tread groove of  $\frac{4}{32}$  of an inch. The rear tires of a special autobus-type recreational vehicle shall have a minimum tread groove of  $\frac{2}{32}$  of an inch. Measurements shall be made at any point on a major tread groove except where tie bars, humps, or fillets are located.
- (d) A special autobus-type recreational vehicle shall not be operated with regrooved, recapped, or retread tires on the front wheels.
- (e) A special autobus-type recreational vehicle shall be equipped with tires that are matched in size designation, construction, and profile on the same axle. Radial tires shall not be mixed with other types of tires on the same axle.

#### **§ 16:53-7.13 Fuel tanks and fuel systems**

- (a) Fuel tanks and systems shall meet all applicable Federal requirements as set forth in Federal Motor Vehicle Safety Standard No. 301 (49 CFR § 571.301), incorporated herein by reference, as amended and supplemented, and 49 CFR § 393.65 and § 393.67, incorporated herein by reference, as amended and supplemented.
- (b) Fuel tanks and filler pipes shall be located wholly outside of the body to the rear of the line of the windshield and/or the front axle, as physical conditions permit, and be properly insulated to prevent fire.
- (c) Fuel tanks shall be constructed and located in a manner that will permit the filling and draining thereof only from the outside of the special autobus-type recreational vehicle.
- (d) The filler cap shall be non-detachable, leakproof, and spillproof.
- (e) Fuel and any other combustible material or compressed gas, other than compressed gas contained in fire extinguishers, shall not be carried or stored in the passenger compartment.

#### **§ 16:53-7.14 Exhaust system**

- (a) The exhaust system shall be securely installed entirely outside of the vehicle body. The exhaust system shall be equipped with a muffler in proper operating condition. The exhaust system shall be free of leaks. Flexible pipe or tubing is prohibited in the exhaust system.
- (b) The exhaust system shall vent to the rear of the rearmost portion of the special autobus-type recreational vehicle.

- (c) The engine shall be maintained in proper operating condition so as to prevent the emission of excessive smoke or other air contaminants. Special autobus-type recreational vehicles shall meet the New Jersey Department of Environmental Protection motor vehicle emission inspection standards applicable to the type of engine installed.
  1. Each exhaust emission system shall be inspected utilizing equipment approved by the New Jersey Department of Environmental Protection.
  2. Inspection of the exhaust emission system may be conducted by the operator, by a person designated by the operator, or by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.1.
  3. Each special autobus-type recreational vehicle shall be inspected every six months by a person qualified to conduct emission testing. Self-inspection emission testing shall be completed within 20 days prior to self-inspection certification. Inspections performed by any person other than New Jersey Motor Vehicle Commission personnel shall require a certification from the individual conducting such inspection indicating his or her qualifications to conduct such a test and the type of equipment used.
- (d) No portion of the exhaust system shall be located in a manner that could result in the burning or damaging of electrical wiring, fuel system components, or any combustible part of the special autobus-type recreational vehicle.
- (e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

**§ 16:53-7.15 Windshield wipers and washers**

- (a) Special autobus-type recreational vehicles shall be equipped with windshield wipers and washers sufficient in size and power and maintained so as to provide the driver with clear forward vision. Windshield wipers shall be located and shall operate in accordance with the original equipment manufacturer's specifications.
- (b) Windshield wipers shall be of variable speed and electrically-operated.

**§ 16:53-7.16 Steps**

- (a) The first step at the entrance area shall not exceed 16 inches from the ground when the special autobus-type recreational vehicle is unloaded.
- (b) The surface of all steps shall be of a nonskid material.
- (c) Steps shall not extend beyond the body limits to a degree that could result in bodily injury or property damage.

**§ 16:53-7.17 Certification of inspection**

- (a) An authorized New Jersey Motor Vehicle Commission employee or company official (private carrier) shall affix a certificate of inspection (inspection sticker) to a special autobus-type recreational vehicle at the completion of each six-month certification inspection.
- (b) A certificate of inspection shall not be issued without certification by the person authorized to inspect the special autobus-type recreational vehicle verifying that the vehicle was inspected, is in proper and safe condition, and complies with all requirements of the New Jersey Motor Vehicle Commission. The required certification shall be made on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (c) A special autobus-type recreational vehicle shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission, visible from the exterior, on the lower right corner of the right-hand windshield.
- (d) Each special autobus-type recreational vehicle operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.
- (e) Any person who issues a certificate of inspection or submits a certification to the New Jersey Motor Vehicle Commission without the required inspection and/or repair having been performed shall be deemed to be in noncompliance with N.J.S.A. 48:4-2.1a and this subchapter. A notice of discontinuance shall be affixed to any special autobus-type recreational vehicle for which the required inspection and/or repair has not been performed.
- (f) A notice of discontinuance shall be affixed to any special autobus-type recreational vehicle that fails the required inspection.

- (g) A certificate of inspection or compliance shall not be issued if payment of a statutory or regulatory fee remains outstanding to the New Jersey Motor Vehicle Commission.

#### **§ 16:53-7.18 Drive shaft**

Any drive shaft extending lengthwise under the floor of the passenger compartment of a special autobus-type recreational vehicle shall be protected by means of at least one guard or bracket at that end of the drive shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

#### **§ 16:53-7.19 Overhang of body**

- (a) The maximum overhang of the body to the rear of the rear load-bearing axle shall not exceed one-third of the total length of the special autobus-type recreational vehicle.
- (b) Vehicle measurements shall be taken from the extreme front to the extreme rear of the special autobus-type recreational vehicle, not including the bumpers.
- (c) Overhang measurements shall be taken from the center of the rear load-bearing axle to the extreme rear of the special autobus-type recreational vehicle, not including the rear bumper.

#### **§ 16:53-7.20 Speedometer; odometer**

- (a) Each special autobus-type recreational vehicle shall be equipped with a speedometer in proper operating condition capable of indicating the speed of the vehicle in miles per hour and readily visible to the driver.
- (b) Each special autobus-type recreational vehicle shall be equipped with an odometer in proper operating condition capable of recording accumulated miles.

#### **§ 16:53-7.21 Horn; audible warning device**

- (a) Each special autobus-type recreational vehicle shall be equipped with a horn in proper operating condition to give reasonable warning to others of the approach of the vehicle.
- (b) Each special autobus-type recreational vehicle shall be equipped with an audible warning device that shall be activated when the vehicle is in reverse.

#### **§ 16:53-7.22 Grounding device**

Each special autobus-type recreational vehicle, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a grounding device.

#### **§ 16:53-7.23 Maintenance and inspection**

- (a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.
- (b) All equipment shall receive a specification inspection by New Jersey Motor Vehicle Commission personnel in order to insure compliance with all of the Commission's specifications. All special autobus-type recreational vehicles that meet New Jersey Motor Vehicle Commission specifications shall be issued a certificate of compliance.
- (c) All special autobus-type recreational vehicles for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall receive a certification inspection at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent certification inspections of such vehicles by Commission personnel when the safety of the public so requires.
- (d) A systematic maintenance record shall be kept for each special autobus-type recreational vehicle showing the vehicle identification number, driver, dates of breakdowns, defects reported, and corrective measures taken. The records shall be retained by the operator for at least 12 months and shall be available for review by the New Jersey Motor Vehicle Commission.
- (e) Each special autobus-type recreational vehicle shall receive a complete inspection at regular time and/or mileage intervals for mechanical or structural defects. All necessary repairs shall be completed and a certificate of inspection affixed in accordance with N.J.A.C. 16:53-7.17 before the special autobus-type recreational vehicle is returned to

service. An itemized record of each inspection showing the date, vehicle identification number, lubrication record, repairs and adjustments, and signed by the person making such inspection, shall be available at the inspection site at the time of inspection and for at least 12 months thereafter, and shall be available for review by the New Jersey Motor Vehicle Commission.

- (f) The maintenance facilities shall be adequate to assure compliance with specifications herein and shall include either a suitable pit or lift or an arrangement for the use of such facilities.
- (g) The entire special autobus-type recreational vehicle shall be kept clean and sanitary.
- (h) The self-inspection certification does not apply to special autobus-type recreational vehicles certified for school use. Such vehicles shall be inspected biannually by New Jersey Motor Vehicle Commission personnel.
- (i) All special autobus-type recreational vehicles directly operated by the New Jersey Transit Corporation shall be on a six-month full New Jersey Motor Vehicle Commission inspection program in accordance with the August 2000 Memorandum of Understanding entered into between the New Jersey Transit Corporation and the New Jersey Department of Transportation. The Memorandum of Understanding is available for inspection at the Office of the Chief Administrator, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey. All special autobus-type recreational vehicles operated by private operators shall receive an in-terminal inspection at six-month intervals; once by New Jersey Motor Vehicle Commission personnel during the first six months, and then a self-inspection by the private operator once during the second six-month period. A record of each six-month certification inspection shall be submitted to the New Jersey Motor Vehicle Commission on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.
- (j) New Jersey Motor Vehicle Commission personnel shall perform unannounced audit inspections of self-inspected special autobus-type recreational vehicles to insure compliance with the self-inspection program.

#### **§ 16:53-7.24 Identification**

- (a) A special autobus-type recreational vehicle shall not be operated unless it displays on each side of its exterior the exact name of the operator in clearly visible letters at least three inches high and of a sharply contrasting color from the background.
- (b) Every special autobus-type recreational vehicle shall be assigned an identification number by the operator. This number shall be displayed on the interior front, and on the front, rear, and both sides of the exterior. Interior and exterior numbers shall be at least three inches high and of a sharply contrasting color from the background.
- (c) Each special autobus-type recreational vehicle shall display on the right-hand side thereof the number of the New Jersey Motor Vehicle Commission's certificate of compliance and the charter number, if applicable, in letters and numbers three inches high in the following style: NJMVC 12345 and/or NJMVC 123C.

#### **§ 16:53-7.25 Window openings**

- (a) Each window opening, other than the driver's window, shall be restricted to a maximum of six inches.
- (b) Open-air special autobus-type recreational vehicles shall meet the following requirements:
  1. The vertical distance between a seat-bottom and any opening shall be a minimum of 16 inches. Vehicles not meeting this requirement shall have protective bars extending from the front to the rear of the opening. Bars shall be spaced no more than six inches apart, and the distance from the seat-bottom to the top of the highest bar shall be a minimum of 16 inches.

#### **§ 16:53-7.26 Platforms**

- (a) Special autobus-type recreational vehicles designed and/or constructed with platforms attached to the rear of the vehicle shall meet the following requirements:
  1. No person shall be permitted to stand or ride on the platform.
  2. Any door leading to the platform from the interior of the vehicle shall display a sign, in letters at least three inches high, indicating "EMERGENCY EXIT ONLY" and shall conform to Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented.
  3. The door shall not be locked while the vehicle is in operation.

### **§ 16:53-7.27 Curtains**

Curtains are permitted to be used while a special autobus-type recreational vehicle is in operation, during times of inclement weather only, provided the requirements pertaining to emergency egress as defined in Federal Motor Vehicle Safety Standard No. 217 (49 CFR § 571.217), incorporated herein by reference, as amended and supplemented, are met.

### **§ 16:53-7.28 Heating; ventilation; air conditioning**

- (a) A heating system capable of heating the passenger compartment to a temperature of at least 50 degrees Fahrenheit shall be provided.
- (b) Heating systems using exhaust gas to heat air carried within the passenger compartment or exhaust gas passing through conductors within the passenger compartment are prohibited.
- (c) Heating devices using gasoline or other fuel shall be of a type approved by the Underwriters' Laboratories, Inc. and conform to 49 CFR § 393.77, incorporated herein by reference, as amended and supplemented, and shall be located outside of the passenger compartment.
- (d) Every special autobus-type recreational vehicle shall be equipped with a system of ventilation capable of distributing an adequate supply of fresh air throughout the passenger compartment.
- (e) Every special autobus-type recreational vehicle equipped with at least 50 percent non-operational passenger windows as originally designed by the manufacturer shall be equipped with an air conditioner that is in proper operating condition during the period between May 1 and October 1 of each year.
- (f) Each special autobus-type recreational vehicle shall be equipped with a windshield defroster in proper operating condition.

### **§ 16:53-7.29 Signs**

A sign shall be provided indicating that smoking on autobuses is prohibited by law. The required sign shall be located in the interior front of the special autobus-type recreational vehicle.

## **SUBCHAPTER 8. SPECIFICATIONS FOR SEDAN-TYPE AUTOBUSES**

N.J.A.C. 16:53-8.1 (2014)

### **§ 16:53-8.1 Scope**

- (a) The specifications set forth in this subchapter shall apply to sedan-type autobuses used on a regular route in interstate or intrastate common carrier service that are subject to the New Jersey Motor Vehicle Commission's jurisdiction.
- (b) Except as otherwise provided in this subchapter, the New Jersey Motor Vehicle Commission hereby adopts and incorporates by reference the rules pertaining to the safety of equipment promulgated by the United States Department of Transportation set forth in 49 CFR Part 393, as amended and supplemented. A copy of 49 CFR Part 393 may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (866) 512-1800.
- (c) Any sedan-type autobus in operation or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any sedan-type autobus in operation in a foreign jurisdiction or acquired prior to September 1, 2002 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect prior to September 1, 2002. Any sedan-type autobus for which a contract of sale or purchase order was entered into before September 1, 2002, and any new sedan-type autobus that was in manufacturer or dealer inventory before September 1, 2002, shall be certified in accordance with the specifications in effect prior to September 1, 2002.

- (d) Any sedan-type autobus in operation or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has issued a certificate of compliance or an amended certificate of compliance may continue in service as designed, constructed, and equipped at the time the certificate of compliance or amended certificate of compliance was issued. Any sedan-type autobus in operation in a foreign jurisdiction or acquired between September 3, 2002 and March 31, 2008 and for which the New Jersey Motor Vehicle Commission or the New Jersey Department of Transportation has not issued a certificate of compliance shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008. Any sedan-type autobus for which a contract of sale or purchase order was entered into between September 3, 2002 and March 31, 2008, and any new sedan-type autobus that was in manufacturer or dealer inventory between September 3, 2002 and March 31, 2008, shall be certified in accordance with the specifications in effect from September 3, 2002 through March 31, 2008.
- (e) Notwithstanding (c) and (d) above, this section shall not be deemed to exempt any sedan-type autobus from any applicable requirements imposed upon such vehicles by the Americans With Disabilities Act (ADA) Accessibility Specifications For Transportation Vehicles as set forth in 49 CFR Part 37 and Part 38, incorporated herein by reference, as amended and supplemented.
- (f) For purposes of this subchapter, a sedan-type autobus shall be defined as a motor vehicle having a capacity of 12 or less passengers, including the driver, having construction characteristics commonly referred to as a sedan with seats extending across the body and having a door at each side of the vehicle at each row of seats.

#### **§ 16:53-8.2 (Reserved)**

#### **§ 16:53-8.3 Dimensions**

- (a) The overall length of a sedan-type autobus, including the bumpers, shall not exceed 300 inches.
- (b) The overall width of a sedan-type autobus shall not exceed 84 inches measured at the widest point of the body. Mirrors, fender moldings, and other similar accessories shall not be included in determining body width.

#### **§ 16:53-8.4 Seating**

- (a) A transverse seat space of not less than 15 inches shall be provided for each passenger.
- (b) Portable seats shall not be permitted.
- (c) The front seat shall not be occupied by more than one passenger, excluding the driver.
- (d) The total number of passengers being transported shall not exceed the seating capacity of the sedan-type autobus.

#### **§ 16:53-8.5 Doors**

- (a) A door shall be provided on each side of the sedan-type autobus at each cross seat.
- (b) On each sedan-type autobus having a standard chassis that has been altered, doors located to the rear of the driver shall be equipped with an audible or visible signal indicating to the driver when the door is not completely closed.
- (c) Doors shall be constructed and maintained so as to be readily opened from both inside and outside of the sedan-type autobus.

#### **§ 16:53-8.6 Fire extinguisher**

- (a) Each sedan-type autobus shall be equipped with at least one fire extinguisher having an Underwriters' Laboratories rating of 5BC or more, as provided in 49 CFR § 393.95, incorporated herein by reference, as amended and supplemented. The use of a vaporizing liquid-type fire extinguisher is prohibited.
- (b) Fire extinguishers shall be located in the passenger compartment.

#### **§ 16:53-8.7 Lights**

- (a) Interior lights, under the control of the driver, shall be sufficient in number to provide proper illumination at each row of seats.

- (b) Each sedan-type autobus shall be equipped with front and rear lights in accordance with Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.
- (c) Each sedan-type autobus shall be equipped with at least two rear red reflectors, at least one on each side, in accordance with Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-8.8 Chassis and body construction**

- (a) The chassis and body, or the complete sedan-type autobus unit, shall be so designed and constructed that it will properly and safely support the gross weight of the sedan-type autobus, including the maximum passenger capacity thereof. The gross vehicle weight rating shall not exceed 10,000 pounds.
- (b) No extensions of the manufacturer's standard chassis frame will be permitted except as set forth in (c) below.
- (c) Alteration of the wheelbase or the standard chassis frame shall be permitted when such alteration is performed by the chassis or unit manufacturer or by others provided that a certification of approval has been issued by the original chassis or unit manufacturer. An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer or by others provided that a certification of approval has been issued by the original chassis manufacturer. Such certification shall contain a detailed description of the alteration or extension.
- (d) The gross vehicle weight rating certified by the manufacturer and the gross vehicle axle weight shall be set forth on a data plate that is affixed to the sedan-type autobus in a location that is readily visible for inspection. At no time shall the gross vehicle weight rating be exceeded.
- (e) Each sedan-type autobus shall be equipped with front and rear bumpers attached to the main frame of the chassis.

#### **§ 16:53-8.9 Brakes**

- (a) Each sedan-type autobus shall be equipped with two brake systems operating independently of each other and conforming to the following standards of construction and maintenance:
  1. Service (foot) brakes shall be power-actuated and shall operate on all wheels;
  2. Service (foot) brakes equipped with a hydraulic system shall be of a dual-type, split to the front and rear wheels;
  3. Service (foot) brakes shall be constructed and maintained to stop the sedan-type autobus in 25 feet or less from a speed of 20 miles per hour;
  4. If a sedan-type autobus is equipped with a mechanical parking brake, such parking brake shall be constructed and maintained to hold the sedan-type autobus in a stopped position with the transmission in a forward gear while the parking brake is applied;
  5. Brake stopping distances shall be measured by means of an instrument or machine of the decelerometer-type capable of being read in feet:
    - i. Each sedan-type autobus shall meet the brake stop test requirement on an approved decelerometer that has been calibrated for accuracy.
    - ii. Brake stop test equipment shall be owned by the operator, or arrangements shall be made for its use by the operator, or such equipment shall be provided to the operator by others, or the operator may choose to have such testing performed by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.2.
    - iii. The brake stop test shall be performed within 20 days prior to self-inspection certification.
  6. Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standards shall be discarded; and
  7. Brake linings and pads shall meet the manufacturer's specifications for minimum thickness.

#### **§ 16:53-8.10 Mirrors**

Inside and outside mirrors shall be provided to insure clear vision of traffic to the sides and rear of the sedan-type autobus.

#### **§ 16:53-8.11 Tires and wheels**

- (a) A sedan-type autobus shall be equipped with tires and wheels of proper size and construction as recommended by the manufacturer to meet the gross vehicle weight rating of the sedan-type autobus, in accordance with Federal Motor Vehicle Safety Standard No. 109 and 110 (49 CFR § 571.109 and § 571.110), incorporated herein by reference, as amended and supplemented.
- (b) A sedan-type autobus shall not be operated on any tire having exposed fabric on the tread or sidewall.
- (c) A sedan-type autobus shall not be operated with recapped, regrooved, or retread tires on any wheel.
- (d) The front and rear tires of a sedan-type autobus shall have a minimum tread groove of 2/32 of an inch. Measurements shall be made at any point on a major tread groove except where tie bars, humps, or fillets are located.
- (e) A sedan-type autobus shall be equipped with tires that are matched in size designation, construction, and profile. Radial tires shall not be mixed with other types of tires on the same axle.

#### **§ 16:53-8.12 Windshield wipers and washers**

- (a) Each sedan-type autobus shall be equipped with windshield wipers and washers sufficient in size and power and maintained so as to provide the driver with clear forward vision. Windshield wipers shall be located and shall operate in accordance with the original equipment manufacturer's specifications.
- (b) Windshield wipers shall be of variable speed and electrically-operated.

#### **§ 16:53-8.13 Heaters and defrosters**

- (a) Each sedan-type autobus shall be equipped with a heating and defrosting system maintained in proper operating condition.
- (b) Exhaust gases shall not be used to heat the air within the passenger compartment.
- (c) Heating devices using gasoline or other fuel shall be of a type approved by the Underwriters' Laboratories, Inc. and conform to 49 CFR § 393.77, incorporated herein by reference, as amended and supplemented, and shall be located entirely outside of the passenger compartment.

#### **§ 16:53-8.14 Fuel tanks and fuel systems**

- (a) Fuel tanks and systems shall meet all applicable Federal requirements as set forth in Federal Motor Vehicle Safety Standard No. 301 (49 CFR § 571.301), incorporated herein by reference, as amended and supplemented.
- (b) Fuel tanks and filler pipes shall be located wholly outside of the body to the rear of the line of the windshield and shall be properly insulated to prevent fire.
- (c) Fuel tanks shall be constructed and located in a manner that will permit the filling and draining thereof only from the outside of the sedan-type autobus.
- (d) The filler cap shall be non-detachable, leak proof, and spill proof.
- (e) Fuel and any other combustible material or compressed gas, other than compressed gas contained in fire extinguishers, shall not be carried or stored in the passenger compartment.

#### **§ 16:53-8.15 Exhaust system**

- (a) The exhaust system shall vent to the rear of the rear wheels. The exhaust system shall not discharge below or forward of any operable window.
- (b) All parts of the exhaust system shall be securely installed entirely outside of the vehicle body. Flexible pipe or tubing is prohibited in the exhaust system.
- (c) The engine shall be maintained in proper operating condition so as to prevent the discharge of excessive smoke or other air contaminants. Sedan-type autobuses shall meet the New Jersey Department of Environmental Protection motor vehicle emission inspection standards applicable to the type of engine installed.
  1. Each exhaust emission system shall be inspected utilizing equipment approved by the New Jersey Department of Environmental Protection.
  2. Inspection of the exhaust emission system may be conducted by the operator, by a person designated by the operator, or by the New Jersey Motor Vehicle Commission for the fee set forth in N.J.A.C. 16:53-10.1.
  3. Each sedan-type autobus shall be inspected every six months by a person qualified to conduct emission testing. Self-inspection emission testing shall be completed within 20 days prior to self-inspection certification. Inspections performed by any person other than New Jersey Motor Vehicle Commission personnel shall require a certification



from the individual conducting such inspection indicating his or her qualifications to conduct such a test and the type of equipment used.

- (d) No portion of the exhaust system shall be located in a manner that could result in the burning or damaging of electrical wiring, fuel system components, or any combustible part of the sedan-type autobus.
- (e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

#### **§ 16:53-8.16 Drive shaft**

Any drive shaft extending lengthwise under the floor of the passenger compartment of a sedan-type autobus, except sedan-type autobuses having a seating capacity of five or less passengers, shall be protected by means of at least one guard or bracket at that end of the drive shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

#### **§ 16:53-8.17 Glazing**

All glazing shall conform to Federal Motor Vehicle Safety Standard No. 205 (49 CFR § 571.205), incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-8.18 Directional signals**

Each sedan-type autobus shall be equipped with directional signals that conform to Federal Motor Vehicle Safety Standard No. 108 (49 CFR § 571.108), incorporated herein by reference, as amended and supplemented.

#### **§ 16:53-8.19 Horn**

Each sedan-type autobus shall be equipped with a horn in proper operating condition to give reasonable warning to others of the approach of the vehicle.

#### **§ 16:53-8.20 Speedometer; odometer**

- (a) Each sedan-type autobus shall be equipped with a speedometer in proper operating condition capable of indicating the speed of the vehicle in miles per hour and readily visible to the driver.
- (b) Each sedan-type autobus shall be equipped with an odometer in proper operating condition capable of recording accumulated miles.

#### **§ 16:53-8.21 Identification**

A sedan-type autobus shall not be operated unless it displays under the hood on the right front wheel well an identification number assigned to the vehicle by the operator and the New Jersey Motor Vehicle Commission's certificate of compliance number in the following style: NJMVC 12345.

#### **§ 16:53-8.22 Certification of inspection**

- (a) An authorized New Jersey Motor Vehicle Commission employee or company official (private operator) shall affix a certificate of inspection (inspection sticker) to a sedan-type autobus at the completion of each six-month certification inspection.
- (b) A certificate of inspection shall not be issued without certification by the person authorized to inspect the sedan-type autobus verifying that the vehicle was inspected, is in proper and safe condition, and complies with all requirements of the New Jersey Motor Vehicle Commission. The required certification shall be made on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.

- (c) A sedan-type autobus shall not be operated unless it prominently displays on the lower right-hand corner of the windshield, visible from the exterior, an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission.
- (d) Each sedan-type autobus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.
- (e) Any person who issues a certificate of inspection or submits a certification to the New Jersey Motor Vehicle Commission without the required inspection and/or repair having been performed shall be deemed to be in noncompliance with N.J.S.A. 48:4-2.1a and this subchapter. A notice of discontinuance shall be affixed to any sedan-type autobus for which the required inspection and/or repair has not been performed.
- (f) A notice of discontinuance shall be affixed to any sedan-type autobus that fails the required inspection.
- (g) A certificate of inspection or compliance shall not be issued if payment of a statutory or regulatory fee remains outstanding to the New Jersey Motor Vehicle Commission.

#### **§ 16:53-8.23 Trailers**

The use of any type of trailer is prohibited.

#### **§ 16:53-8.24 Baggage racks**

Exterior baggage racks shall be constructed so that all baggage is held in a secure manner under all conditions of operation.

#### **§ 16:53-8.25 Maintenance and inspection**

- (a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.
- (b) All equipment shall receive a specification inspection by New Jersey Motor Vehicle Commission personnel in order to insure compliance with all of the Commission's specifications. All sedan-type autobuses that meet New Jersey Motor Vehicle Commission specifications shall be issued a certificate of compliance.
- (c) All sedan-type autobuses for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall receive a certification inspection at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent certification inspections of such vehicles by Commission personnel when the safety of the public so requires.
- (d) A systematic maintenance record shall be kept for each sedan-type autobus showing the vehicle identification number, driver, dates of breakdowns, defects reported, and corrective measures taken. The records shall be retained by the operator for at least 12 months and shall be available for review by the New Jersey Motor Vehicle Commission.
- (e) Each sedan-type autobus shall receive a complete inspection at regular time and/or mileage intervals for mechanical or structural defects. All necessary repairs shall be completed and a certificate of inspection affixed in accordance with N.J.A.C. 16:53-8.22 before the sedan-type autobus is returned to service. An itemized record of each inspection showing the date, vehicle identification number, lubrication record, repairs and adjustments, and signed by the person making such inspection, shall be available at the inspection site at the time of inspection and for at least 12 months thereafter, and shall be available for review by the New Jersey Motor Vehicle Commission.
- (f) The maintenance facilities shall be adequate to assure compliance with specifications herein and shall include either a suitable pit or lift or an arrangement for the use of such facilities.
- (g) The entire sedan-type autobus shall be kept clean and sanitary.
- (h) The self-inspection certification does not apply to sedan-type autobuses certified for school use. Such vehicles shall be inspected biannually by New Jersey Motor Vehicle Commission personnel.
- (i) All sedan-type autobuses directly operated by the New Jersey Transit Corporation shall be on a six-month full New Jersey Motor Vehicle Commission inspection program in accordance with the August 2000 Memorandum of Un-

derstanding entered into between the New Jersey Transit Corporation and the New Jersey Department of Transportation. The Memorandum of Understanding is available for inspection at the Office of the Chief Administrator, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey. All sedan-type autobuses operated by private operators shall receive an in-terminal inspection at six-month intervals; once by New Jersey Motor Vehicle Commission personnel during the first six months, and then a self-inspection by the private operator once during the second six-month period. A record of each six-month certification inspection shall be submitted to the New Jersey Motor Vehicle Commission on the maintenance inspection report (MC-26) as set forth in chapter Appendix A, incorporated herein by reference.

- (j) New Jersey Motor Vehicle Commission personnel shall perform unannounced audit inspections of self-inspected sedan-type autobuses to insure compliance with the self-inspection program.

#### **§ 16:53-8.26 Inspection and certificate of inspection**

- (a) All sedan-type autobuses for which certificates of compliance have been issued by the New Jersey Motor Vehicle Commission shall be inspected at least twice annually. Nothing herein shall limit the New Jersey Motor Vehicle Commission's authority to require more frequent inspections of such vehicles when the safety of the public so requires.
- (b) A sedan-type autobus shall not be operated unless it prominently displays an unexpired certificate of inspection issued by the New Jersey Motor Vehicle Commission, visible from the exterior on the lower right corner of the windshield.
- (c) Sedan-type autobuses having an altered chassis shall be subject to quarterly inspection by New Jersey Motor Vehicle Commission personnel.
- (d) Each sedan-type autobus operating in the State shall be subject to on-road and in-terminal inspections. Such inspections shall be conducted at the New Jersey Motor Vehicle Commission's option as to location and frequency.

### **SUBCHAPTER 9. PUBLIC LIABILITY INSURANCE**

N.J.A.C. 16:53-9.1 (2014)

#### **§ 16:53-9.1 Certificate of insurance or evidence of self-insurance**

- (a) An operator of an autobus carrying passengers for hire in accordance with Title 48 of the Revised Statutes or 49 CFR Part 393 shall file with the New Jersey Motor Vehicle Commission three copies of a certificate of insurance or evidence of self-insurance, which shall be in the form set forth in (i) below, designated "Form E--Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" and "Form F--Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement."
- (b) Such certificate or evidence shall be signed by the issuing insurance company or, in the case of a self-insurer, by an officer or agent thereof, and shall state that autobuses are insured in compliance with either Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable.
- (c) Every certificate of insurance shall contain a provision for continuing liability and shall provide that cancellation thereof shall not be effective unless at least 30 days' notice in writing of intention to cancel has been delivered to the New Jersey Motor Vehicle Commission.
- (d) Certificates of insurance that have been accepted by the Chief Administrator of the New Jersey Motor Vehicle Commission in accordance with this section may be replaced by other certificates of insurance. The liability of the retiring insurer under such certificates of insurance shall be considered as having been terminated as of the effective date of the replacement certificate of insurance.
- (e) Every certificate of insurance shall contain a provision for a continuing liability notwithstanding any recovery thereunder.
- (f) Every certificate of insurance shall provide that cancellation thereof shall not be effective until at least 30 days' notice in writing of intention to cancel has been delivered to the Chief Administrator of the New Jersey Motor Vehicle Commission; such cancellation notice shall be in the form set forth in (i) below, designated "Form K--Uniform No-

tice of Cancellation of Motor Carrier Insurance Policies." If such cancelled insurance policy is reinstated, a new certificate, in the form set forth in (i) below, designated "Form E--Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" and "Form F--Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement," shall be filed with the Chief Administrator of the New Jersey Motor Vehicle Commission.

- (g) Certificates of insurance shall be in accordance with the forms set forth in (i) below, designated "Form E--Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance."
- (h) When a certificate of insurance is filed as provided in (i) below, there shall be attached to the original certificate of insurance ("Form E--Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance"), an endorsement designated "Form F--Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement."
- (i) All insurance filings in accordance with Title 48 of the Revised Statutes shall be made with the New Jersey Motor Vehicle Commission, Commercial Bus Inspection and Investigation Unit, PO Box 680, Trenton, New Jersey 08666-0680, on the insurance industry forms specified below:
  1. Form E--"Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance," together with Form F below;
  2. Form F--"Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement";
  3. Form K--"Uniform Notice of Cancellation of Motor Carrier Insurance Policies."
- (j) The Chief Administrator of the New Jersey Motor Vehicle Commission shall consider applications for permission to establish insurance funds in lieu of the filing of certificates of insurance. Until such permission is granted by the Chief Administrator of the New Jersey Motor Vehicle Commission, certificates of insurance shall be filed. Until otherwise ordered, all orders and certificates of the Chief Administrator of the New Jersey Motor Vehicle Commission authorizing or directing bus lines and street railway corporations operating buses to establish and maintain self-insurance funds shall continue in full force and effect insofar as said orders or certificates authorize the carriers therein named to be self-insurers. Every person, firm, association, and corporation that maintains a self-insurance fund pursuant to authority granted by the Chief Administrator of the New Jersey Motor Vehicle Commission shall procure, maintain, and file with the Chief Administrator a policy of insurance to cover the difference between the amounts such carrier is authorized to self-insure and the amounts specified in Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable.
- (k) A certificate of insurance shall not be filed with the Chief Administrator of the New Jersey Motor Vehicle Commission unless a direct contractual relationship exists between the operator and the insurance company making the filing. A certificate of insurance shall be issued in the exact name of the operator.
- (l) All filings shall be executed in triplicate on the proper form as specified in (i) above. The Chief Administrator of the New Jersey Motor Vehicle Commission may refuse to accept a certificate of insurance if in his or her judgment it does not provide adequate protection for the public.
- (m) No certificate of public convenience and necessity shall be issued nor shall any previously issued certificate remain in force, unless all of the foregoing provisions are complied with.

#### **§ 16:53-9.2 Autobuses**

- (a) All autobuses shall be insured covering their operations in the State of New Jersey in the business of their operators and/or others, and whether in regular or other service, and whether on or off their regular routes.
- (b) The driver of each autobus shall at all times when such autobus is in operation exhibit a certificate showing that the autobus is insured in conformity with Title 48 of the Revised Statutes or 49 CFR Part 387, incorporated herein by reference, as amended and supplemented, whichever is applicable. Such certificate shall contain the name of the company by which the autobus is insured, the insurance policy number or, in the case of a self-insurer, a certificate signed by an officer or agent that it has qualified as a self-insurer, the manufacturer, year, vehicle identification number, and rated seating capacity of the autobus. Such certificate shall be posted in a conspicuous place in the autobus on the right-hand side of the driver above the windshield.

### **SUBCHAPTER 10. MOTOR VEHICLE COMMISSION FEES FOR AUTOBUS INSPECTIONS**

N.J.A.C. 16:53-10.1 (2014)

#### **§ 16:53-10.1 Emission inspection**

The fee charged for an emission inspection performed by New Jersey Motor Vehicle Commission personnel in conjunction with a self-inspection certification shall be \$ 45.00 per vehicle.

#### **§ 16:53-10.2 Brake inspection**

The fee charged for a brake inspection performed by New Jersey Motor Vehicle Commission personnel in conjunction with a self-inspection certification shall be \$ 45.00 per vehicle.

### **SUBCHAPTER 11. INSPECTION AND VERIFICATION OF BEST AVAILABLE RETROFIT TECHNOLOGY DEVICE INSTALLATION ON REGULATED DIESEL COMMERCIAL BUSES**

#### **§ 16:53-11.1 Definitions**

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

"Diesel commercial bus" means a diesel bus as defined pursuant to section 2 of P.L. 1995, c. 157 (N.J.S.A. 39:8-60), except that "diesel commercial bus" shall include only diesel commercial buses with a gross vehicle weight rating in excess of 14,000 pounds, and shall not include school buses.

"Private regulated commercial bus" means any diesel commercial bus not owned by the New Jersey Transit Corporation, and any diesel commercial bus owned by the New Jersey Transit Corporation but leased or operated by a provider of diesel commercial bus service other than the New Jersey Transit Corporation.

"Public regulated commercial bus" means any diesel commercial bus owned and operated by the New Jersey Transit Corporation.

"Regulated commercial bus" means any diesel commercial bus registered and operating in the State.

#### **§ 16:53-11.2 Inspection and verification of installation of best available retrofit technology device(s)**

The owner or lessee of a regulated diesel commercial bus, as defined in N.J.S.A. 26:2C-8.27 and this subchapter, who is required to install a best available retrofit technology device(s) pursuant to a Notice of Intent to Comply, a regulated fleet retrofit plan, combined regulated fleet retrofit plan, fleet averaging plan, or combined fleet averaging plan in accordance with N.J.S.A. 26:2C-8.26 et al. shall present his or her regulated diesel commercial bus to the Motor Vehicle Commission's Commercial Bus Inspection and Investigation Unit for a compliance inspection. Verification of the installation shall be provided on the form issued by the Department of Environmental Protection for the vehicle pursuant to N.J.S.A. 26:2C-8.31, 8.32, 8.41, or 8.42. The inspection shall be performed in accordance with the procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-14.5(f), 7:27-32.21, and 7:27B-4.4(c). Compliance with the requirements of this section shall mean that the diesel commercial bus has been inspected by the Commercial Bus Inspection and Investigation Unit and that such Unit has confirmed and verified that the retrofit device(s) has been installed on such regulated diesel commercial bus. The regulated diesel commercial bus shall be presented for inspection to the Commercial Bus Inspection and Investigation Unit at the time of the next biannual periodic certification inspection following the installation of the best available retrofit technology device(s) on such regulated diesel commercial bus.

## **APPENDIX A**



