

§ 7:27-14.5 Motor vehicle inspections

(a) This section applies to the motor vehicle inspection of a diesel-powered motor vehicle, as follows:

1. The testing of a heavy-duty diesel vehicle, as designated by the Chief Administrator of the MVC, as part of the roadside enforcement program established pursuant to N.J.S.A. 39:8-64 and N.J.A.C. 13:20-46, Diesel Emission Inspection and Maintenance Program;
2. The testing of a heavy-duty diesel vehicle, as designated by the Chief Administrator of the MVC, as part of the periodic inspection program established pursuant to N.J.S.A. 39:8-64 and N.J.A.C. 13:20-26.17, Compliance with diesel emission standards, equipment requirements, and test procedures; inspection and verification of installation of best available retrofit technology devices; periodic inspection program for diesel emissions; self-inspection; exempt vehicles;
3. The testing of a diesel bus as part of the periodic inspection program pursuant to N.J.A.C. 13:20-30, Inspection of school buses, or N.J.S.A. 48:4-1 et seq., and N.J.A.C. 16:53, Autobuses;
4. The testing of a diesel-powered motor vehicle as part of the self-inspection programs pursuant to N.J.A.C. 13:20-26, Compliance with diesel emission standards and equipment, periodic inspection program for diesel emissions and self-inspection of certain classes of motor vehicles; and
5. The testing of a light-duty diesel vehicle subject to the enhanced inspection and maintenance program pursuant to N.J.S.A. 39:8-1 et seq.

(b) A person testing a diesel-powered motor vehicle, as referenced at (a)1, 2, 3, and 5 above, shall use diesel emissions testing equipment approved by the Department in accordance with N.J.A.C. 7:27B-4.6.

(c) A person testing a diesel-powered motor vehicle in accordance with (a)1, 2, and 3 above shall perform one of the following:

1. For an OBD-eligible vehicle, the OBD inspection at N.J.A.C. 7:27B-4.8; or
2. For a vehicle that is not OBD-eligible, the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3(a).

(d) A person testing a diesel-powered motor vehicle in accordance with (a)1 through 4 above shall perform the following:

1. The visible smoke test at N.J.A.C. 7:27B-4.7(a);
2. The indicator light check at N.J.A.C. 7:27B-4.7(b);
3. The visual fuel leak test at N.J.A.C. 7:27B-4.7(c); and
4. The emission control apparatus examination at N.J.A.C. 7:27B-4.4(a) and (b).

(e) A person testing a light-duty diesel-powered motor vehicle in accordance with (a)5 above shall perform the following:

1. The visible smoke test at N.J.A.C. 7:27B-4.7(a);
2. For an OBD-eligible light-duty diesel vehicle of model year 1997 or later, the OBD inspection at N.J.A.C. 7:27B-4.8; and
3. The visual fuel leak test at N.J.A.C. 7:27B-4.7(c).

(f) A person inspecting a diesel-powered motor vehicle as part of the one-time compliance inspection for a retrofit device required at N.J.A.C. 7:27-32.21 shall conduct an examination as described at N.J.A.C. 7:27B-4.4(c).

(g) A person inspecting a diesel bus as part of the closed crankcase ventilation system compliance inspection required at N.J.A.C. 7:27-32.6 shall conduct an examination as described at N.J.A.C. 7:27B-4.4(d).

(h) A motor vehicle that is not equipped with an OBD system is not OBD-eligible. A motor vehicle that is equipped with an OBD system is OBD-eligible, unless it meets one of the following criteria:

1. The motor vehicle has a DLC that is in a location not readily accessible during a typical inspection procedure, provided that the DLC is in its original configuration as supplied by the motor vehicle manufacturer and has not been obstructed, damaged, removed or modified;
2. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, has difficulty setting or maintaining an adequate number of readiness monitors;
3. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, employs a communications protocol that is currently incompatible with approved diesel emissions testing equipment; or
4. The motor vehicle is otherwise identified by the EPA or the Department as not technologically or functionally capable of OBD inspection.

(i) The Department maintains a list of makes and model years of motor vehicles that it has determined to not be OBD-eligible, based on the criteria at (h) above. A copy of this list is available from the Department by contacting the Bureau of Mobile Sources at (609) 292-7953 and can also be viewed and downloaded from the Department's website at www.stopthesoot.org.

HISTORY:

New Rule, R.1997 d.393, effective September 15, 1997 (operative October 7, 1997).

See: 29 N.J.R. 971(a), 29 N.J.R. 4108(a).

Amended by R.1998 d.309, effective July 6, 1998 (operative July 21, 1998).

See: 30 N.J.R. 901(a), 30 N.J.R. 2476(b).

Inserted new (b)4; deleted (c); and recodified former (d) through (f) as (c) through (e).

Amended by R.1999 d.210, effective July 6, 1999 (operative August 10, 1999).

See: 31 N.J.R. 828(a), 31 N.J.R. 1803(b).

In (a)1 and (b)1, substituted references to low and medium speed diesel engines for references to low speed engines; and in (a)3 and (b)3, inserted references to medium and high speed diesel engines.

Administrative change.

See: 33 N.J.R. 3550(a).

Amended by R.2007 d.235, effective August 6, 2007 (operative September 8, 2007).

See: 38 N.J.R. 5244(a), 39 N.J.R. 3352(a).

In the introductory paragraph of (a), substituted "Chief Administrator of the MVC" for "Director of the Division of Motor Vehicles"; in (a)3, (b)3, (c)2 and (d)3, substituted "power brake" for "stall"; in the introductory paragraph of (d), deleted the comma preceding "shall use"; and added (f) and (g).

Amended by R.2009 d.343, effective November 16, 2009 (operative December 18, 2009).

See: 41 N.J.R. 1606(a), 41 N.J.R. 4195(b).

In the introductory paragraph of (a), substituted "heavy-duty diesel" for "diesel-powered motor" and inserted "use diesel emissions testing equipment and shall"; in (a)2 and (b)2, inserted "or" at the end; in (a)3 and (b)3, deleted "a medium or high speed diesel engine and" following "with" and substituted a period for "; or" at the end; deleted (a)4 and (b)4; rewrote the introductory paragraph of (b); rewrote (c); deleted former (d); recodified former (e) through (g) as (d) through (f); and added new (g) and (h).

Amended by R.2016 d.124, effective October 3, 2016 (operative December 2, 2016).

See: 48 N.J.R. 748(a), 48 N.J.R. 2049(a).

Section was "Test requirements". Rewrote the section.