

## **§ 7:27-14.6 Motor vehicle standards**

(a) No diesel-powered motor vehicle shall be deemed to have passed an inspection unless it satisfies:

1. The general public highway standards at N.J.A.C. 7:27-14.4; and
2. The applicable motor vehicle inspections at N.J.A.C. 7:27-14.5(b) through (i).

(b) A heavy-duty diesel vehicle, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:

1. For model years 1990 and older, the level of peak smoke opacity shall not exceed 40 percent;
2. For model years 1991 through 1996, the level of peak smoke opacity shall not exceed 30 percent; and
3. For model years 1997 and newer, the level of peak smoke opacity shall not exceed 20 percent.

(c) A diesel bus, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:

1. For model years 1987 and older, the level of peak smoke opacity shall not exceed 40 percent;
2. For model years 1988 through 1993, the level of peak smoke opacity shall not exceed 30 percent; and
3. For model years 1994 and newer, the level of peak smoke opacity shall not exceed 20 percent.

(d) A retrofitted diesel bus, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:

1. For model years 1993 and older, the level of peak smoke opacity shall not exceed 30 percent;
2. For model years 1994 and newer, the level of peak smoke opacity shall not exceed 20 percent.

(e) A motor vehicle or motor vehicle engine with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer, in a manner not in accordance with EPA Memorandum 1A or not exempt from prohibition by CARB Executive Order, will be deemed to have failed the motor vehicle inspection.

(f) A diesel-powered motor vehicle required to have been retrofitted pursuant to N.J.A.C. 7:27-32 shall be deemed to have passed a one-time retrofit compliance inspection if a visual check confirms the installation and presence of the retrofit device.

(g) A diesel bus required to have been equipped with a closed crankcase ventilation system pursuant to N.J.A.C. 7:27-32 shall be deemed to have passed a one-time compliance inspection if a visual check confirms the installation and presence of the closed crankcase ventilation system.

(h) A diesel vehicle shall not emit visible smoke of any color in the exhaust emissions or in the crankcase emissions for a period in excess of three consecutive seconds when measured using the test procedure at N.J.A.C. 7:27B-4.7.

(i) If, pursuant to the provisions of N.J.A.C. 7:27-14.5(c)1, a diesel vehicle is subject to an OBD inspection conducted in accordance with the inspection test procedure at N.J.A.C. 7:27B-4.8, it shall be considered to

have passed said inspection, unless:

1. The DLC cannot be found or is damaged/obstructed in such a way as to not allow a connection between the analyzer and the motor vehicle;
2. Communication cannot be established between the analyzer and the vehicle's OBD system;
3. The MIL is not illuminating when commanded to light;
4. The number of systems that have non-continuous readiness monitors that are not ready for inspections equals or exceeds the following criteria: three "not ready" codes for motor vehicles model year 1997 through 2000 and two "not ready" codes for motor vehicles model year 2001 and newer;
5. Any continuous readiness monitor is not supported or not ready;
6. The MIL is illuminated while the vehicle's engine is running; or
7. DTCs have been detected by the OBD system to cause the MIL to be commanded on.

#### **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 and (c)3.

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 paragraphs of (b) and (c) and in (d) and (e), substituted "power brake" for "stall"; in (d), inserted "EPA urban" and substituted a period for a semicolon at the end; and added (f) and (g).

Amended by R.2009 d.159, effective May 4, 2009 (operative June 2, 2009).

See: 40 N.J.R. 3541(a), 40 N.J.R. 4478(a), 41 N.J.R. 2009(a).

In the introductory paragraph of (a), substituted "Before December 2, 2009, no" for "No"; in the introductory paragraph of (b) and (c), and in (d) and (e), substituted "Before December 2, 2009, a" for "A"; in the introductory paragraph of (b), inserted a comma following "vehicle"; and added (h) through (k).

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 "or diesel bus"; in the introductory paragraph of (c) and in (d), inserted "the rolling acceleration smoke opacity test" and inserted a comma following "emissions"; and added (l) and (m).

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 "Inspection standards". Rewrote the section.