

## **§ 13:20-7.1 Definitions**

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

"Certificate of approval" means an inspection sticker issued by an official inspection facility, a licensed private inspection facility, a State specialty inspection facility or the Motor Vehicle Commission's Mobile Inspection Unit certifying that a motor vehicle complies with the requirements of Title 39 and Title 26 of the Revised Statutes, N.J.A.C. 13:20-43, 32 or 33, whichever is applicable, and either N.J.A.C. 7:27-15 and 7:27B-5 regarding the inspection of gasoline-fueled and bi-fueled motor vehicles or N.J.A.C. 7:27-14 and 7:27B-4 regarding the inspection of diesel-fueled motor vehicles, whichever are applicable.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Commercial vehicle" means all vehicles registered according to N.J.S.A. 39:3-20, regardless of weight (if gasoline or bi-fueled) or having a GVWR of 8,500 pounds or less (if diesel fueled).

"Driving school vehicle" means any vehicle owned or leased by a licensed Motor Vehicle Commission driving school used to provide driver training and testing to school clients.

"Electric vehicle" means any vehicle powered solely by electric without an on-board engine or generator, and that does not use a hydrocarbon fuel to create electricity. These vehicles can include plug-in electric, but not plug-in hybrid electric, or solar-powered vehicles.

"EPA" means the United States Environmental Protection Agency.

"Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or combination (articulated) vehicle.

"Initial inspection" means the required inspection conducted on a motor vehicle at the beginning of each inspection cycle as appropriate for the vehicle to obtain a certificate of approval for a new inspection cycle.

"Inspection decal" means an inspection sticker issued by an official inspection facility, a State specialty inspection facility, or the Motor Vehicle Commission's Mobile Inspection Services Bus Unit in accordance with N.J.A.C. 13:20-7.4, setting forth the year and month in which a motor vehicle less than five model years old shall be presented for inspection in this State.

"Jitney" means an autobus as defined in N.J.S.A. 48:16-23 with a carrying capacity of not more than 13 passengers, operated under municipal consent upon a route established wholly within the limits of a single municipality or with a carrying capacity of not more than 20 passengers operated under municipal consent upon a route established wholly within the limits of not more than four contiguous municipalities within any county of the fifth or sixth class, which route in either case does not, in whole or in part, parallel upon the same street the line of any street railway or traction railway or any other autobus route.

"Limousine" means any motor vehicle that is issued special registration plates bearing the word "limousine" pursuant to N.J.S.A. 39:3-19.5, other than motor vehicles that are subject to inspection by the Motor Vehicle Commission's Bus Inspection Unit.

"Motor Vehicle Commission" or "Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (N.J.S.A. 39:2A-4).

"Official inspection facility" means a test-only inspection facility that the State Treasurer has contracted for pursuant to section 4 of P.L. 1995, c.112.

"Omnibus" means all motor vehicles used for the transportation of passengers for hire, except commuter vans and vehicles used in ridesharing arrangements and school buses, if the same are not otherwise used in the transportation of passengers for hire.

"Omnibus 2" means motor vehicles operated by a company or individual that provides passenger transportation to a target audience and market that is not in competition with a publicly regulated transit route or does not collect fares from the general public.

"On-board diagnostics" or "OBD" means an automotive diagnostic system complying with California Air Resources Board OBD regulations or EPA OBD regulations effective for model year 1996 and newer gasoline-fueled and bi-fueled motor vehicles and for model year 1997 and newer diesel-fueled motor vehicles.

"Passenger vehicle" means all vehicles registered with registration codes 1 through 9, 12 (not utilized to transport passengers), 15, 31, and 73.

"Passenger vehicle transportation" means vehicles regardless of fuel type, plated as taxicab, limousine, jitney, Omnibus 2, hotel bus, paratransit vehicle, mobile assistance vehicle, or ambulance, except those vehicles inspected by the Commission's Inspection Services Bus Unit.

"Private inspection facility" means any person, partnership, or corporation licensed by the Motor Vehicle Commission pursuant to N.J.A.C. 13:20-44 to perform the motor vehicle inspections required by N.J.S.A. 39:8-1.

"Re-inspection" means any subsequent inspection required due to a failure of an initial inspection, in order for a vehicle to obtain a certificate of approval.

"State specialty inspection facility" means a test-only inspection facility that is operated by the Motor Vehicle Commission to inspect certain motor vehicles as specified in N.J.A.C. 13:20-7.3(d).

"Taxicab" means an autocab as defined in N.J.S.A. 48:16-1 engaged in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of this State and particularly accepts and discharges such persons as may offer themselves for transportation from points or places to points or places within or without the State.

#### **HISTORY:**

New Rule, R.1999 d.422, effective December 6, 1999.

See: 31 N.J.R. 2466(a), 31 N.J.R. 4078(a).

Former N.J.A.C. 13:20-7.1, Adjustments, corrections, or repairs, recodified to N.J.A.C. 13:20-7.5.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Added "EPA" and " 'On-board diagnostics' or 'OBD' ".

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" throughout the section; added definitions "Chief Administrator" and "Motor Vehicle Commission"; and deleted definitions "Director" and "Division".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

In definition "Certificate of approval", deleted "or" preceding "a State", and inserted "or the Motor Vehicle Commission's Mobile Inspection Unit", "either" "gasoline-fueled and bi-fueled" and "or N.J.A.C. 7:27-14 and 7:27B-4 regarding the inspection of diesel-fueled motor vehicles, whichever are applicable"; deleted definition "Certificate of waiver"; added definitions "Inspection decal", "Jitney", "Limousine" and "Taxicab"; and in definition "On-board diagnostics", inserted "Air Resources Board", "gasoline-fueled and bi-fueled" and "and for model year 1997 and newer diesel-fueled motor vehicles", and deleted "II" preceding the second occurrence of "regulations".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Added definitions "Driving school vehicle" and "Electric vehicle"; in definition "Inspection decal", inserted ", a State specialty inspection facility, or the Motor Vehicle Commission's Mobile Inspection Services Bus Unit", and substituted "five" for "four"; and in definition "Limousine", substituted "Bus Inspection" for "Commercial Bus Inspection and Investigation".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Added definitions "Commercial vehicle", "Initial inspection", "Omnibus", "Omnibus 2", "Passenger vehicle", "Passenger vehicle transportation", and "Re-inspection".