

39:8-1 et al

10/22/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:8-1 et al (Motor vehicle inspection system--dual public/private system)

LAWS OF: 1986

CHAPTER 22

BILL NO: A2218

Sponsor(s): Schuber

Date Introduced: February 27, 1986

Committee: Assembly: Law, Public Safety, Defense and Corrections

Senate: Law, Public Safety and Defense

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: March 6, 1986

Senate: June 2, 1986

Date of Approval: June 2, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

For background, see legislative history of original law: L. 1983, C. 236.

See newspaper clipping--attached: "Neighborhood car inspections made permanent," 6-3-86 Star Ledger.

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6-2-86

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ASSEMBLY, No. 2218

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1986

By Assemblyman SCHUBER

AN ACT concerning motor vehicle inspections and licensing of private inspection centers, amending sections 39:8-1, 39:8-2 and 39:8-4 of the Revised Statutes, P. L. 1975, c. 156 and P. L. 1983, c. 236, and repealing sections 1 and 5 through 15 of P. L. 1983, c. 236.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 39:8-1 is amended to read as follows:

2 39:8-1. The director shall require every motor vehicle registered
3 in this State which is used over the highways of this State, except
4 vehicles and traction equipment registered pursuant to R. S.
5 39:3-24 and historic motor vehicles registered as such, to have
6 such motor vehicles inspected by designated examiners or at official
7 inspection stations to be designated by the director *or at licensed*
8 *private inspection centers*. The director shall have the discretion
9 to determine what motor vehicle equipment shall be subject to
10 inspection under the provisions of this chapter.

1 2. R. S. 39:8-2 is amended to read as follows:

2 39:8-2. The director may designate and appoint, subject to exist-
3 ing laws, competent examiners of motor vehicles to examine motor
4 vehicles required to be inspected in accordance with the provisions
5 of this chapter. Such examiners may be delegated to enforce the
6 provisions of the motor vehicle and traffic law.

7 The director may make rules and regulations with respect to the
8 character of the inspections to be made, with respect to the fre-
9 quency of inspections of new motor vehicles and with respect to

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendment adopted March 6, 1986.**

10 the approval or rejection of motor vehicles as a result of such
 11 inspections. All other vehicles required by the director to be in-
 12 spected under this chapter shall be inspected at least annually.

13 Rules and regulations relating to the frequency and character of
 14 vehicle emission inspections shall be promulgated in cooperation
 15 with the Department of Environmental Protection.

16 The director shall furnish to designated examiners official certifi-
 17 cates of approval, the form, content and use of which he shall
 18 prescribe.

19 The director may, with the approval of the State House Com-
 20 mission, purchase, lease or acquire by the exercise of the power of
 21 eminent domain any property for the purpose of assisting him in
 22 carrying out the provisions of this chapter. Such property may
 23 also be used by the director for the exercise of the duties and
 24 powers conferred upon him by the other chapters of this Title.

25 The director shall conduct random roadside examinations of
 26 motor vehicles required to be inspected in this State to provide a
 27 continuous monitoring of motor vehicles. Each year at least 1%
 28 of the total number of motor vehicles registered in the State shall
 29 be inspected by roadside examination teams under the supervision
 30 of the director.

31 The director shall conduct inspections and audits of licensed
 32 **[reinspection]** *private inspection* centers to insure accurate test
 33 equipment calibration and use, and compliance with the provisions
 34 of this act. These inspections and audits shall be conducted monthly,
 35 except that at the discretion of the director, more frequent audits
 36 and inspections may be conducted.

37 The director shall make a charge of \$2.50 for the initial inspec-
 38 tion for each vehicle subject to inspection, which amount shall be
 39 paid to the director or his representative when payment of the
 40 registration fees fixed in chapter 3 of this Title is made. **[Said]**
 41 *The fee is not applicable to [reinspection] inspection by licensed*
 42 **[reinspection] private inspection centers [of vehicles rejected**
 43 **upon initial inspection at a motor vehicle inspection station].**

1 3. R. S. 39:8-4 is amended to read as follows:

2 39:8-4. If inspections as required by **[section]** *R. S. 39:8-1 [of*
 3 *this Title]* disclose the necessity for adjustments, corrections or
 4 repairs, **[it shall be incumbent upon]** *the director may require* the
 5 owner of any such motor vehicle to have such adjustments, cor-
 6 rections or repairs made *and thereafter reinspected at a motor*
 7 *vehicle inspection station or at a licensed private inspection center*
 8 within the period designated by the director.

9 The director may cause a certificate of approval to be issued for
 10 a motor vehicle needing an adjustment, correction or repair in order
 11 to conform to the requirements of chapter 3 and chapter 8 of this
 12 Title, but which, in the director's determination, is nevertheless
 13 safe. In such cases the director shall issue notice to the vehicle
 14 owner to have **【said】** *the* adjustment, correction or repair made
 15 within a specified period of time, subject to the penalties of R. S.
 16 39:8-9.

1 4. Section 3 of P. L. 1975, c. 156 (C. 39:8-11) is amended to
 2 read as follows:

3 3. The director may, after appropriate inquiry and investigation,
 4 license to operate **【reinspection】** *private inspection* centers as many
 5 qualified and properly equipped persons engaged in the business
 6 of motor vehicle repairs and service as are necessary, to *conduct*
 7 *initial motor vehicle inspections, and to* certify that the specific
 8 items for which a vehicle was initially rejected **【at a motor vehicle**
 9 **inspection station】** have been adjusted, corrected or repaired by
 10 him or under his direction, and that the condition of **【said】** *the*
 11 items conforms to the standards established by law or regulation.
 12 **【Such】** *The* certification shall be evidenced by a **【reinspection】**
 13 *private inspection* approval sticker placed on the vehicle as pre-
 14 scribed by the director.

1 5. Section 4 of P. L. 1975, c. 156 (C. 39:8-12) is amended to
 2 read as follows:

3 4. *A licensee shall inspect and certify or reject a motor vehicle*
 4 *presented to him for an initial inspection. Certification shall indi-*
 5 *cate that the licensee or his employee has inspected the motor ve-*
 6 *hicle as prescribed by the director and has found that the motor*
 7 *vehicle conforms to the standards established by law or regulation.*

8 A licensee shall reinspect and certify *or reject* any *previously*
 9 *rejected* vehicle presented to him for adjustment, correction or
 10 repair, and any vehicle presented by an owner who himself has
 11 made the necessary adjustment, correction or repair. Such cer-
 12 tification shall indicate that the licensee or his employee has re-
 13 inspected the items for which a vehicle has been rejected, as pre-
 14 scribed by the director, and has found that the condition of **【said】**
 15 *the* items conforms to the standards established by law or regu-
 16 lation.

1 6. Section 5 of P. L. 1975, c. 156 (C. 39:8-13) is amended to
 2 read as follows:

3 5. a. A licensee may charge any owner whose vehicle was ad-
 4 justed, corrected or repaired by or under the direction of the li-
 5 censee an amount for certification to be determined by the director.

6 b. A licensee may charge any owner who himself has made the
 7 necessary adjustments, corrections or repairs an amount for re-
 8 inspection computed at the hourly rate charged by the licensee
 9 for normal on premises repairs, and an amount for certification.
 10 The director shall determine the average length of time required
 11 to reinspect a specific rejected item, which shall be the maximum
 12 time for which a licensee may charge, and shall determine the
 13 charge for certification.

14 c. Licensees shall post a schedule of charges for *initial inspec-*
 15 *tion*, reinspection and for certification in a prominent place on the
 16 premises, and shall file a copy thereof with the director.

17 d. *A licensee may charge an owner whose motor vehicle has been*
 18 *initially inspected by or under the direction of the licensee an*
 19 *amount to be determined by the director.*

20 e. *No licensed private inspection center shall require, as a con-*
 21 *dition of performing the inspection, that any needed repairs or*
 22 *adjustments be done by the person, or at the facility of the person*
 23 *performing the inspection.*

24 f. *No service or adjustment shall be performed on the vehicle at*
 25 *the licensed private inspection center where the vehicle was initi-*
 26 *ally inspected unless the customer signs a written acknowledgment*
 27 *and waiver indicating that he understands his right to have service*
 28 *and adjustment done elsewhere and expressly waives his right.*

1 7. Section 6 of P. L. 1975, c. 156 (C. 39:8-14) is amended to
 2 read as follows:

3 6. The director may license any person who is the owner or
 4 lessee of 10 or more motor vehicles to initially inspect, reinspect
 5 and certify those vehicles if such person has available to him the
 6 equipment, facilities and qualified employees, or other qualified
 7 person under his control by contract, necessary to make the re-
 8 quired initial inspection, adjustments, corrections or repairs. When
 9 the licensee, or his employee, or other qualified person under his
 10 control conducts an initial inspection, he shall certify that he or
 11 his employee or other qualified person under his control by con-
 12 tract has inspected the motor vehicle as prescribed by the director
 13 and has found that the motor vehicle conforms to the standards
 14 established by law or regulation. When a motor vehicle is rein-
 15 spected, the licensee shall certify that the items for which a ve-
 16 hicle was initially rejected have been adjusted, corrected or re-
 17 paired by him or under his direction and that the condition of **[said]**
 18 *the* items conforms to the standards established by law or regula-
 19 tion. **[Such]** *The* certification shall be evidenced by **[an initial or**

20 reinspection] a *private inspection* approval sticker placed on the
 21 vehicle as prescribed by the director.

1 8. Section 7 of P. L. 1975, c. 156 (C. 39:8-15) is amended to
 2 read as follows:

3 7. Every [reinspection] *private inspection* center license issued
 4 on or after May 1 in any year shall be valid through June 30 of the
 5 following year[, except that any such license issued prior to July 1,
 6 1975 shall be valid through June 30, 1976].

1 9. Section 8 of P. L. 1975, c. 156 (C. 39:8-16) is amended to
 2 read as follows:

3 8. An application or renewal for a [reinspection] *private in-*
 4 *spection* center license shall be in such form and shall contain such
 5 information as the director may prescribe, and shall be accompanied
 6 annually by a nonrefundable [\$15.00] \$25.00 fee, which shall be
 7 mitted to the General Treasury. The director shall require a li-
 8 censee to have in effect at all times liability insurance or such
 9 other proof of financial responsibility as he may prescribe, and
 10 may require such other qualifications of a licensee and his premises
 11 as are necessary.

1 10. Section 9 of P. L. 1975, c. 156 (C. 39:8-17) is amended to
 2 read as follows:

3 9. The director shall provide each licensee as many numbered
 4 [reinspection] *private inspection* approval stickers as may be re-
 5 quired, and may charge the licensee \$1.00 for each sticker. [If a
 6 sticker expires prior to its use, the \$1.00 fee already paid shall be
 7 applied toward the future purchase of stickers, and shall not be
 8 refunded.] *There shall be no refund or credit for expired or un-*
 9 *used private inspection approval stickers.* Every licensee shall keep
 10 such records of *inspections*, reinspections and approval stickers
 11 issued as the director may prescribe, shall make such records
 12 available to the director upon demand, shall institute such safe-
 13 guards to secure [said] *the* stickers from theft, loss or fraudulent
 14 use as the director may prescribe, *shall return any unused expired*
 15 *stickers to the director*, and shall upon request account to the di-
 16 rector for all [said] stickers.

1 11. Section 10 of P. L. 1975, c. 156 (C. 39:8-18) is amended
 2 to read as follows:

3 10. [A licensee or his employee] *A person* who affixes a [re-
 4 inspection] *private inspection* approval sticker to a motor vehicle
 5 without having reinspected the specific item for which the vehicle
 6 was initially rejected [by a motor vehicle inspection station], or
 7 without having determined that the condition of the item conforms

8 to standards established by law or regulation, shall be guilty of
 9 violating the provisions of this chapter, and shall be fined not less
 10 than ~~[\$50.00]~~ \$1,000.00 ~~[nor]~~ or more than ~~[\$200.00]~~ \$1,500.00
 11 and shall have the license suspended for a period of at least one
 12 year but not more than three years for a first offense or not less
 13 than ~~[\$200.00]~~ \$2,000.00 ~~[nor]~~ or more than ~~[\$1,000.00]~~ \$3,500.00
 14 and shall have the license permanently revoked for a ~~[second or]~~
 15 subsequent offense. This section shall be enforced pursuant to
 16 R. S. 39:8-9.

17 *A person who charges a fee for repair work not performed or*
 18 *performed unnecessarily and affixes a private inspection approval*
 19 *sticker shall be punished under the terms of P. L. 1960, c. 39 (C.*
 20 *56:8-1 et seq.), and any regulation adopted thereunder.*

1 12. Section 11 of P. L. 1975, c. 156 (C. 39:8-19) is amended
 2 to read as follows:

3 11. a. The director may deny, suspend or revoke a ~~[reinspec-~~
 4 ~~tion]~~ *private inspection* center license or refuse renewal thereof
 5 for cause, including but not limited to one or more of the following:

6 (1) Violation of any provision of this act or of any regulation
 7 adopted thereunder, including a finding of guilt made pursuant to
 8 section 10 of this act;

9 (2) Fraud, or misrepresentation in securing the license or in
 10 the conduct of the licensed activity;

11 (3) Making *initial inspection* or reinspection service charges in
 12 excess of those posted in the licensed premises and filed with the
 13 director;

14 (4) Conviction of a crime involving moral turpitude;

15 (5) Violation of ~~[The Consumer Fraud Act, P. L. 1967, c. 301]~~
 16 *P. L. 1960, c. 39 (C. 56:8-1 et seq.)* or of any regulation adopted
 17 thereunder;

18 (6) Other good cause.

19 b. The director may suspend a license for such period as he
 20 deems fit, pursuant to the Administrative Procedure Act, P. L.
 21 1968, ~~[c. 40 (C. 52:14D-1 et seq.)]~~ *c. 410 (C. 52:14B-1 et seq.)*. If
 22 the director determines that the public interest requires suspension
 23 of a license pursuant to this act prior to hearing, the director may
 24 do so, provided that the licensee is afforded the opportunity ~~[for]~~
 25 *to request in writing*, a hearing within 10 days of the effective date
 26 of the suspension, and an administrative adjudication *shall be held*
 27 as soon thereafter as possible.

28 c. The suspension or revocation of a ~~[reinspection]~~ *private in-*
 29 *spection* center license shall not of itself be cause for the denial,

30 suspension or revocation of any other business license held by the
 31 **reinspection** *private inspection* center licensee issued by the State
 32 or any of its political subdivisions.

1 13. Section 12 of P. L. 1975, c. 156 (C. 39:8-20) is amended to
 2 read as follows:

3 12. Any licensee who discontinues operation of a **reinspection**
 4 *private inspection* center, or whose license has been suspended or
 5 revoked, or whose renewal thereof has been denied, shall forth-
 6 with deliver to the director the license, all unused **reinspection**
 7 *private inspection* approval stickers, all reinspection records and
 8 other items issued to the licensee or required by the director to be
 9 kept in connection with the operation of the **reinspection** *private*
 10 *inspection* center. Any person who fails to deliver **said** *these*
 11 items to the director is a disorderly person.

1 14. Section 13 of P. L. 1975, c. 156 (C. 39:8-21) is amended to
 2 read as follows:

3 13. Any person who shall display or cause or permit to be dis-
 4 played any sign, mark, or advertisement as a **reinspection** *private*
 5 *inspection* center when a license has not been issued by the director
 6 or is not then in effect, or who shall transfer or attempt to transfer
 7 a **reinspection** *private inspection* center license is a disorderly
 8 person.

1 15. Section 14 of P. L. 1975, c. 156 (C. 39:8-22) is amended to
 2 read as follows:

3 14. The director may, subject to existing law, employ such per-
 4 sons and make such expenditures as are necessary to supervise the
 5 operation of licensed **reinspection** *private inspection* centers to
 6 insure compliance with the provisions of this act and the regulations
 7 adopted pursuant thereto.

1 16. Section 16 of P. L. 1983, c. 236 is amended to read as follows:

2 16. This act shall take effect immediately **and, except for sec-**
 3 **tions 2, 3, 4, 6c., d., and e., 7, 8, 9, 10, 11, 12, 13 and 15, shall expire on**
 4 **June 1, 1986, unless extended by law beyond that date**.

1 17. (New section) All reinspection centers licensed pursuant to
 2 P. L. 1975, c. 156 (C. 39:8-11 et seq.) shall be redesignated by virtue
 3 of this 1986 amendatory and supplementary act as private inspec-
 4 tion centers with the authority to make initial motor vehicle
 5 inspections, reinspections and repairs to the extent and under the
 7 conditions permitted herein. All reinspection center licenses shall
 8 be renewed as if they were private inspection center licenses upon
 9 their expiration.

1 18. (New section) All licensed private inspection centers shall

2 use emissions test equipment which has been certified by the
3 Department of Environmental Protection. The department shall
4 adopt standards for the certification of the equipment, which shall
5 include but not be limited to all of the following:

6 a. An automated system to control test sequencing, the automatic
7 pass or fail decision, and the format for the test report and recorded
8 magnetic tape file;

9 b. An exhaust gas analysis portion;

10 c. A device to accept and record vehicle identification informa-
11 tion; and

12 d. A device to provide a printed record of the test results to the
13 consumer.

1 19. (New section) A licensee or his employee shall not perform
2 initial inspections or reinspections and make repairs for compensa-
3 tion pursuant to this act unless qualified by the completion of
4 training courses prescribed by the division, in cooperation with the
5 Department of Environmental Protection, through regulations
6 which establish standards for the training and certification of
7 mechanics employed at private inspection centers.

1 20. (New section) The director may promulgate rules and
2 regulations pursuant to the "Administrative Procedure Act," P. L.
3 1968, c. 410 (C. 52:14B-1 et seq.), to effectuate the purposes of this
4 act. **The director shall also take the appropriate steps necessary*
5 *to ensure the widespread participation in the public and private*
6 *motor vehicle inspection program by the private commercial sector*
7 *and by the public at large.**

1 21. Section 1 of P. L. 1983, c. 236 (C. 39:8-25) and sections 5
2 through 15 of P. L. 1983, c. 236 (C. 39:8-26 through 39:8-36) are
3 repealed.

1 22. This act shall take effect immediately.

MOTOR VEHICLE—GENERAL

Makes permanent the public/private motor vehicle inspection
program.

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 3 Department of Environmental Protection. The department shall
 4 adopt standards for the certification of the equipment, which shall
 5 include but not be limited to all of the following:

6 a. An automated system to control test sequencing, the automatic
 7 pass or fail decision, and the format for the test report and recorded
 8 magnetic tape file;

9 b. An exhaust gas analysis portion;

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 11 tion; and

12 d. A device to provide a printed record of the test results to the
 13 consumer.

1 19. (New section) A licensee or his employee shall not perform
 2 initial inspections or reinspections and make repairs for compensa-
 3 tion pursuant to this act unless qualified by the completion of
 4 training courses prescribed by the division, in cooperation with the
 5 Department of Environmental Protection, through regulations
 6 which establish standards for the training and certification of
 7 mechanics employed at private inspection centers.

1 20. (New section) The director may promulgate rules and
 2 regulations pursuant to the "Administrative Procedure Act," P. L.
 3 1968, c. 410 (C. 52:14B-1 et seq.), to effectuate the purposes of this
 4 act.

1 21. Section 1 of P. L. 1983, c. 236 (C. 39:8-25) and sections 5
 2 through 15 of P. L. 1983, c. 236 (C. 39:8-26 through 39:8-36) are
 3 repealed.

1 22. This act shall take effect immediately.

Sponsor STATEMENT

This bill makes permanent the public and private inspection program which permitted reinspection centers to conduct initial inspection as allowed by P. L. 1983, c. 236 (C. 39:8-25 et seq.). That act permitted licensed reinspection centers to conduct initial motor vehicle inspections as official inspection stations for a trial period. At the end of the trial period, the reinspection centers would revert to conducting only reinspections of vehicles that failed inspection at State-operated inspection facilities.

The dual system of initial inspection gives vehicle owners the flexibility of getting their vehicles inspected at State centers or private inspection centers. Many people take their vehicles to private garages for routine maintenance periodically during the year. This bill permits them to have the vehicle inspected at that

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time, thereby reducing the waiting lines at State inspection centers.

The roadside inspection program which permits continuous monitoring of vehicles is continued. Roadside inspections would also serve to check vehicles that are inspected by private inspection centers. Persons who affix approval stickers illegally are subject to fines up to \$3,500.00 and suspension of their private inspection license. Further, persons who charge for repair work not performed or performed unnecessarily shall be punished under the law protecting against consumer fraud, P. L. 1960, c. 39 (C. 56:8-1 et seq.).

The fee charged for licensing a private inspection center is raised to \$25.00. Licensed private inspection centers shall be permitted to charge a fee for the inspection and the fee is to be determined by the director.

MOTOR VEHICLE—GENERAL

Makes permanent the public/private motor vehicle inspection program.

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2218

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 6, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 2218 with amendments.

As amended, Assembly Bill No. 2218 makes permanent the public and private inspection program which permitted reinspection centers to conduct initial inspections pursuant to P. L. 1983, c. 236 (C. 39:8-25 et seq.). That act permitted licensed reinspection centers to conduct initial motor vehicle inspections as official inspection stations for a trial period. At the end of the trial period, the reinspection centers would revert to conducting only reinspection of vehicles that failed inspection at State-operated inspection facilities.

The dual system of initial inspection gives vehicle owners the flexibility of getting their vehicles inspected at State centers or private inspection centers. Many people take their vehicles to private garages for routine maintenance periodically during the year; this bill permits them to have the vehicle inspected at that time, thereby reducing the waiting lines at State inspection centers.

The roadside inspection program which permits continuous monitoring of vehicles is continued. Roadside inspections would also serve to check vehicles that are inspected by private inspection centers. Persons who affix approval stickers illegally are subject to fines up to \$3,500.00 and suspension of their private inspection license. Further, persons who charge for repair work not performed or performed unnecessarily shall be punished under the law protecting against consumer fraud, P. L. 1960, c. 39 (C. 56:8-1 et seq.).

The fee charged for licensing a private inspection center is raised to \$25.00. Licensed private inspection centers shall be permitted to charge a fee for the inspection and the fee is to be determined by the director.

In addition, the bill repeals section 1 of P. L. 1983, c. 236 (C. 39:8-25) and sections 5 through 15 of P. L. 1983, c. 236 (C. 39:8-26 through 39:8-36), all of which are sections of law which were enacted in order

to establish the experimental dual inspection system. These sections must be repealed before the system can be made permanent.

The committee amended the bill to require the Director of the Division of Motor Vehicles to take all appropriate steps necessary to ensure the widespread participation by the public in the dual inspection program.

The committee endorses this bill and released it for consideration by the Legislature with the specific understanding that private inspection centers would become a permanent option for the registered motorists in this State and that State operated inspection stations would continue to be available to motorists in convenient and accessible locations. The committee noted that this bill should not be used to phase out or to significantly scale down State operated inspection stations.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2218

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STATE OF NEW JERSEY

DATED: MAY 19, 1986

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill 2218 OCR.

This bill makes permanent the public and private motor vehicle inspection program, which was created on a temporary basis by P. L. 1983, c. 236 (C. 39:8-25 et seq.). As amended, that act permitted licensed reinspection centers to conduct initial motor vehicle inspections as official inspection stations until June 1, 1986. At the end of the trial period, unless extended by the Legislature, the reinspection centers revert to conducting only reinspections of vehicles that failed inspection at State-operated inspection facilities.

The dual inspection system has resulted in several advantages to the citizens of New Jersey. By giving vehicle owners the flexibility of having their vehicles inspected at State centers or private inspection centers, the dual inspection system has helped to reduce the waiting times at State inspection centers and has permitted vehicle owners to combine their vehicle's inspection with visits to a private garage for routine maintenance. The dual inspection system also has allowed New Jersey to fulfill the terms of its agreement with the federal Environmental Protection Administration to inspect vehicles annually for emissions while at the same time increasing the number of vehicles that are required to be inspected.

Under this bill, systems for overseeing the integrity of the dual inspection program will remain in effect. The roadside inspection program, which permits the monitoring of vehicles for conformance with inspection standards and the monitoring of private inspection stations for the quality and thoroughness of their inspections, will continue. Penalties for affixing a private inspection approval sticker without first determining that the vehicle meets the standards established by law remain the same. For a first offense, a person will be fined not less than \$1,000.00 and not more than \$1,500.00 and will have his license

suspended for at least one year but not more than three years; for a second offense, he will be fined not less than \$2,000.00 and not more than \$3,500.00 and will have his license permanently revoked. Persons who charge for repair work not performed or performed unnecessarily will be punished under the law protecting against consumer fraud, P. L. 1960, c. 39 (C. 56:8-1 et seq.). All licensed private inspection centers will continue to be required to use emissions test equipment certified by the Department of Environmental Protection and to employ mechanics who have completed training courses prescribed by the Division of Motor Vehicles.

This bill raises the fee charged to obtain a private inspection center license from \$15.00 to \$25.00. Licensed private inspection centers will continue to be permitted to charge a fee for the inspection in an amount to be determined by the director.

Sections of law that were enacted in order to establish the dual inspection system on a temporary basis are repealed by the bill. Sections repealed are section 1 and sections 5 through 15 of P. L. 1983, c. 236 (C. 39:8-25 and 39:8-26 through 39:8-36).

The Assembly Law, Public Safety and Defense and Corrections Committee amended the bill to require the Director of the Division of Motor Vehicles to take all appropriate steps necessary to ensure the widespread participation by the public in the dual inspection program.

The bill has been endorsed by the Assembly Select Committee on the Division of Motor Vehicles.
