

39:8-33 AND 34

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:8-33, 39:8-34

(MV reinspection centers--
certification)

LAWS OF: 1983

CHAPTER: 417

Bill No: A4040

Sponsor(s): Flynn and others

Date Introduced: November 21, 1983

Committee: Assembly: -----

Senate: Law, Public Safety and Defense

Amended during passage: No

Date of Passage: Assembly: November 21, 1983

Senate: December 15, 1983

Date of Approval: January 4, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No *yes*

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 4040

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 21, 1983

By Assemblymen FLYNN, DOYLE, D. GALLO and VAN WAGNER

AN ACT concerning licensed reinspection centers and amending
P. L. 1983, c. 236.

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

1 1. Section 12 of P. L. 1983, c. 236 (C. 39:8-33) is amended to
2 read as follows:

3 12. a. Within 90 days of the effective date of this act, the di-
4 rector, in cooperation with the Department of Environmental Pro-
5 tection, shall adopt regulations establishing standards for all
6 licensed reinspection centers designated as official inspection sta-
7 tions pursuant to this act.

8 b. Except as provided in subsection c. of this section, all licensed
9 reinspection centers shall use emission test equipment which has
10 been certified by the Department of Environmental Protection. The
11 department shall adopt standards within 90 days of the effective
12 date of this act, for the certification of the equipment, which shall
13 include but not be limited to all of the following:

14 (1) An automated system to control test sequencing, the auto-
15 matic pass or fail decision, and the format for the test report and
16 recorded magnetic tape file;

17 (2) An exhaust gas analysis portion;

18 (3) A device to accept and record vehicle identification informa-
19 tion; and

20 (4) A device to provide a printed record of the test results to
21 the consumer.

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.

22 c. Facilities which have been licensed by the director as "re-
23 inspection centers" [prior to May 1] *on or before June 30, 1983,*
24 may apply to the director for certification as official inspection
25 stations which do not require immediate compliance with the stan-
26 dards established under subsection b. of this section concerning
27 the certification of equipment; provided that the Department of
28 Environmental Protection certifies that the licensure complies with
29 the Clean Air Act (42 U. S. C. 7401 et seq.). In the event that this
30 act is extended to May 1, 1985 or thereafter the facilities shall
31 comply with the standards established under subsection b. of this
32 section by May 1, 1985, in order to maintain certification under
33 this act.

1 2. Section 13 of P. L. 1983, c. 236 (C. 39:8-34) is amended to
2 read as follows:

3 13. a. Within 90 days of the effective date of this act, the di-
4 rector, in cooperation with the Department of Environmental Pro-
5 tection, shall adopt regulations establishing standards for the
6 training and certification of mechanics employed by licensed re-
7 inspection centers.

8 b. Except as provided in subsection c. of this section, no licensee
9 or his employee may perform inspections and make repairs for
10 compensation pursuant to this act unless qualified by the comple-
11 tion of training courses prescribed by the division in cooperation
12 with the Department of Environmental Protection.

13 c. Licensees and employees of facilities licensed by the director
14 as "reinspection centers" [prior to May 1] *on or before June 30,*
15 1983, may perform inspections or make repairs for compensation
16 pursuant to this act without immediately complying with the re-
17 quirements of subsection b. of this section concerning training and
18 certification of mechanics. In the event that this act is extended
19 beyond May 1, 1985 or thereafter all licensees and employees of
20 licensees shall comply with the standards concerning certification
21 and training of mechanics by May 1, 1985, in order to perform
22 inspections or make repairs for compensation pursuant to this act
23 after that date.

24 d. The director in cooperation with the Department of Environ-
25 mental Protection shall take all necessary steps to promote expedi-
26 tious compliance with the training and certification of mechanics
27 as provided in this section.

1 3. This act shall take effect immediately.

STATEMENT

P. L. 1983, c. 236 authorized the Director of the Division of Motor Vehicles to certify a reinspection center which does not possess the necessary emission test equipment to perform initial inspections of motor vehicles until June 1, 1984 if, among other criteria, the reinspection center was licensed as such prior to May 1, 1983. The act also authorized an employee of a reinspection center to conduct initial inspections and repair defects without proper training and certification if the inspection center was licensed prior to May 1, 1983. The purpose of this bill is to amend P. L. 1983, c. 236 to change the cutoff date from prior to May 1, 1983 to on or before June 30, 1983.

A 4040 (1983)

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STATEMENT

P. L. 1983, c. 236 authorized the Director of the Division of Motor Vehicles to certify a reinspection center which does not possess the necessary emission test equipment to perform initial inspections of motor vehicles until June 1, 1984 if, among other criteria, the reinspection center was licensed as such prior to May 1, 1983. The act also authorized an employee of a reinspection center to conduct initial inspections and repair defects without proper training and certification if the inspection center was licensed prior to May 1, 1983. The purpose of this bill is to amend P. L. 1983, c. 236 to change the cutoff date from prior to May 1, 1983 to on or before June 30, 1983.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4040

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STATE OF NEW JERSEY

DATED: DECEMBER 8, 1983

Assembly Bill No. 4040 is intended to correct a technical error in the recently enacted law (P. L. 1983, c. 236) that creates a dual automotive inspection system allowing motorists to choose between official State inspection stations and licensed private garages when having their vehicles inspected. Assembly Bill No. 4040 would change from May 1, 1983 to June 30, 1983 the date by which a reinspection station must have been licensed in order to conduct initial inspections with equipment and training requirements in effect when the law creating the dual inspection system was enacted.

P. L. 1983, c. 236 created the dual inspection system by authorizing licensed private reinspection stations to conduct initial inspections. Those reinspection stations that were licensed prior to May 1, 1983 were permitted to conduct initial inspections using the equipment for testing automotive emissions and employing trained mechanics who met the standards authorized when the new law was enacted. By May 1, 1985, these licensees would be required to comply with more stringent equipment and training requirements.

Those not licensed as reinspection centers prior to May 1, 1983 were required by the new law to meet the more stringent standards for equipment and training immediately upon being licensed.

The deadline of May 1, 1983 became a problem because P. L. 1983, c. 236 was not signed until June 30, 1983. Before the law was signed, the Division of Motor Vehicles continued to issue reinspection licenses to facilities meeting the old equipment and training standards. As a result, those reinspection licenses issued between May 1, 1983 and June 30, 1983 have been revoked because the licenses do not meet the new equipment and training standards.

Assembly Bill No. 4040 would permit those licensed between May 1 and June 30, 1983 to continue to conduct inspections using equipment that meets the less stringent standard and employing mechanics whose training meets the less stringent standard.

There are 193 licensed reinspection centers that fall into this problematic group. The total number of private garages now licensed to conduct initial inspections is 4200.

Assembly Bill No. 4040 is identical to Senate Bill No. 3734.

BILLS SIGNED

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JANUARY 5, 1984

A-3611, sponsored by Assemblywoman Marie S. Muhler, R-Monmouth, which amends the Recycling Act to authorize the Departments of Energy and Environmental Protection to use the services of the Economic Development Authority to administer the loan program created by the Act.

A-3648, sponsored by Assemblyman Robert E. Littell, R-Sussex, which authorizes the Commissioner of Transportation to adopt regulations restricting the operation of commercial vehicles, tractors, trailers and semi-trailers on Route 94 in Sussex County. That highway became an active truck route upon the closing of Route 209 in Pennsylvania through the Delaware Water Gap and Tocks Island National Recreation Area.

A-4040, sponsored by Assemblyman William E. Flynn, D-Monmouth, which corrects an inequity in the motor vehicle inspection law created by the timing of the passage of that law. The bill authorizes the certification of certain inspection centers to perform initial auto inspections. These are centers which were licensed between the May 1, 1983, cutoff date in the current law and June 30, 1983, when the bill was passed and signed.

S-967, sponsored by State Senator Matthew Feldman, D-Bergen, which provides for the regulation and licensing of audiologists and speech-language pathologists by the Director of the Division of Consumer Affairs. The bill also creates an advisory committee to advise the Director with respect of licensure. The board will consist of four audiologists or speech-language pathologists, two members licensed to practice medicine (one a diplomate of the American Board of Otolaryngology and one a diplomate of the American Osteopathic Board of Otolaryngology), two members of the public and a representative of the State.