

ASSEMBLY, No. 3010

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1975

By Assemblymen ESPOSITO and HYNES

Referred to Committee on Transportation and Communications

AN ACT to revise standards and procedures for the inspection of motor vehicles, amending R. S. 39:8-2 and 39:8-4 and supplementing chapter 8 of Title 39 of the Revised Statutes.

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

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

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

7 The director may make rules and regulations with respect to
8 the character and frequency of the inspections to be made, *and*
9 *with respect to the approval or rejection of motor vehicles as a*
10 *result of such inspections.*

10A The director shall furnish to designated examiners official cer-
10B tificates of approval, the form, content and use of which he shall
10C prescribe.

11 The director may, with the approval of the State House Com-
12 mission, purchase, lease or acquire by the exercise of the power
13 of eminent domain any property for the purpose of assisting him
14 in carrying out the provisions of this chapter. Such property may
15 also be used by the director for the exercise of the duties and
16 powers conferred upon him by the other chapters of this Title.

17 The director shall make a charge **[for such examinations]** of
18 \$1.00 **[annually]** *for the initial inspection* for each vehicle subject
19 to inspection, which amount shall be paid to the director or his
20 representative when payment of the registration fees fixed in
21 chapter 3 of this Title is made; provided, however, that the said
22 charge for passenger automobiles shall be paid as part of the
23 registration fee for such vehicles, as provided in section 39:3-8

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

24 of this Title. *Said fee is not applicable to reinspection by licensed*
25 *reinspection centers of vehicles rejected upon initial inspection at*
26 *a motor vehicle inspection station.*

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

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

1 3. (New section) The director may, after appropriate inquiry
2 and investigation, license to operate reinspection centers as many
3 qualified and properly equipped persons engaged in the business
4 of motor vehicle repairs and service as are necessary, to certify
5 that the specific items for which a vehicle was initially rejected
6 at a motor vehicle inspection station have been adjusted, corrected
7 or repaired by him or under his direction, and that the condition
8 of said items conforms to the standards established by law or
9 regulation. Such certification shall be evidenced by a reinspection
10 approval sticker placed on the vehicle as prescribed by the director.

1 4. (New section) A licensee shall reinspect and certify any
2 vehicle presented to him, for adjustment, correction or repair, and
3 any vehicle presented by an owner who himself has made the
4 necessary adjustment, correction or repair. Such certification
5 shall indicate that the licensee or his employee has reinspected the
6 items for which a vehicle has been rejected, as prescribed by the
7 director, and has found that the condition of said items conforms
8 to the standards established by law or regulation.

1 5. (New section) a. A licensee may charge any owner whose
2 vehicle was adjusted, corrected or repaired by or under the direc-
3 tion of the licensee an amount for certification to be determined
4 by the director.

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

13 c. Licensees shall post a schedule of charges for reinspection
14 and for certification in a prominent place on the premises, and shall
15 file a copy thereof with the director.

1 6. (New section) The director may license any person who is
2 the owner or leasee of 50 or more motor vehicles to reinspect and
3 certify those vehicles if initially inspected at a motor vehicle inspec-
4 tion station if such person has available to him the equipment,
5 facilities and qualified employees necessary to make the required
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11 by a reinspection approval sticker placed on the vehicle as pre-
12 scribed by the director.

1 7. (New section) Every reinspection center license issued on or
2 after May 1 in any year shall be valid through June 30 of the
3 following year, except that any such license issued prior to July 1,
4 1975 shall be valid through June 30, 1976.

1 8. (New section) An application or renewal for a reinspection
2 center license shall be in such form and shall contain such informa-
3 tion as the director may prescribe, and shall be accompanied
4 annually by a nonrefundable \$10.00 fee which shall be remitted to
5 the General Treasury. The director shall require a licensee to have
6 in effect at all times liability insurance or such other proof of
7 financial responsibility as he may prescribe, and may require such
8 other qualifications of a licensee and his premises as are necessary.

1 9. (New section) The director shall provide each licensee as
2 many numbered reinspection approval stickers as may be required,
3 and may charge the licensee \$0.50 for each sticker. If a sticker
4 expires prior to its use, the \$0.50 fee already paid shall be applied
5 toward the future purchase of stickers, and shall not be refunded.
6 Every licensee shall keep such records of reinspections and ap-
7 proval stickers issued as the director may prescribe, shall make
8 such records available to the director upon demand, shall institute
9 such safeguards to secure said stickers from theft, loss or fraudu-
10 lent use as the director may prescribe, and shall upon request
11 account to the director for all said stickers.

1 10. (New section) A licensee or his employee who affixes a re-
2 inspection approval sticker to a motor vehicle without having
3 reinspected the specific item for which the vehicle was initially
4 rejected by a motor vehicle inspection station, or without having
5 determined that the condition of the item conforms to standards
6 established by law or regulation, shall be guilty of violating the
7 provisions of this chapter, and shall be fined not less than \$50.00

8 nor more than \$200.00 for a first offense or not less than \$200.00
9 nor more than \$1,000.00 for a second or subsequent offense. This
10 section shall be enforced pursuant to R. S. 39:8-9.

1 11. (New section) a. The director may deny, suspend or revoke
2 a reinspection center license or refuse renewal thereof for cause,
3 including but not limited to one or more of the following:

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

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

9 (3) Making reinspection service charges in excess of those posted
10 in the licensed premises and filed with the director;

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

12 (5) Violation of The Consumer Fraud Act, P. L. 1967, c. 301
13 (C. 56:8-1 et seq.) or of any regulation adopted thereunder;

14 (6) Other good cause.

15 b. The director may suspend a license for such period as he
16 deems fit, pursuant to the Administrative Procedure Act, P. L.
17 1968, c. 40 (C. 52:14D-1 et seq.) If the director determines that the
18 public interest requires suspension of a license pursuant to this
19 act prior to hearing, the director may do so, provided that the
20 licensee is afforded the opportunity for a hearing within 10 days
21 of the effective date of the suspension, and an administrative
22 adjudication as soon thereafter as possible.

23 c. The suspension or revocation of a reinspection center license
24 shall not of itself be cause for the denial, suspension or revocation
25 of any other business license held by the reinspection center
26 licensee issued by the State or any of its political subdivisions.

1 12. (New section) Any licensee who discontinues operation of a
2 reinspection center, or whose license has been suspended or revoked,
3 or whose renewal thereof has been denied, shall forthwith deliver
4 to the director the license, all unused reinspection approval stickers,
5 all reinspection records and other items issued to the licensee or
6 required by the director to be kept in connection with the operation
7 of the reinspection center. Any person who fails to deliver said
8 items to the director is a disorderly person.

1 13. (New section) Any person who shall display or cause or
2 permit to be displayed any sign, mark, or advertisement as a re-
3 inspection center when a license has not been issued by the director
4 or is not then in effect, or who shall transfer or attempt to transfer
5 a reinspection center license is a disorderly person.

1 14. (New section) The director may, subject to existing law,
2 employ such persons and make such expenditures as are necessary
3 to supervise the operation of licensed reinspection centers to insure
4 compliance with the provisions of this act and the regulations
5 adopted pursuant thereto.

1 15. (New section) The director may adopt such rules and regula-
2 tions as may be required or appropriate to effectuate the purposes
3 of this act.

1 16. This act shall take effect immediately.

STATEMENT

This bill authorizes the Division of Motor Vehicles to license automotive service businesses to certify their own repair work so that motorists do not have to return to a State inspection station for approval of rejected items. (Presently, the vast percentage of motorists have their autos repaired at garages and then return to inspection stations). It also takes account of the motorist who repairs his own rejected vehicle.

This bill also provides that the Division of Motor Vehicles will supervise all privately licensed reinspection centers and will have the authority to revoke or suspend the license of a private reinspection center upon evidence of failure to abide by the rules and regulations promulgated by the Division of Motor Vehicles.

The provisions of this bill will reduce to reasonable levels the waiting times at motor vehicle inspection stations while permitting the continuation of a State-operated inspection system within the limits of present resources and physical facilities.

The above provisions are designed to relieve an overburdened State inspection system from reinspecting rejected vehicles (estimated at 2 million in 1975). These changes in the current system are necessitated because, unfortunately, the physical facilities of the system have not kept pace with the growth in the vehicle population and the added duties assigned to the system within the past few years.

The vehicle population has been growing at the rate of 5% a year, while the number of inspection lanes has decreased from 70 in 1967 to 68 today. As a result of more vehicles and less inspection lanes, waiting times at most inspection stations have become intolerable in many areas despite Saturday and night operating hours. Vehicle population growth, plus the additional reinspections caused by increasingly stringent emission regulations would require capital expenditures of \$16 million and an additional \$4 million in annual operating costs.

Although many alternatives were considered, the prime motivation for the above provisions were health (annual emission testing) and safety (the National Highway Traffic Safety Administration states that vehicle defects directly cause 6% of the vehicular crashes and indirectly contribute to an additional 12%). Currently, New Jersey is the third safest state in the Nation, having 2.8 fatalities for every 100 million miles traveled on its highways. It is believed the inspection system plays a part in this commendable safety statistic.

And, in an effort to maintain this record, this bill will permit modifications to the present system while retaining its primary purposes—health and safety.

Among the advantages are :

It permits continuation of the planned emissions testing, thereby protecting the health of our citizens ;

It reduces the intolerable waiting times at the inspection stations ;

It eliminates the need for motorists with rejected vehicles to spend the time, effort and gasoline to return to State lanes after correction ;

It insures the motorist of an objective initial inspection and provides him with the specific item to be corrected ;

It reduces capital expenditures for additional inspection lanes and their added costs of operation; and

It keeps New Jersey in compliance with the guidelines of the Federal Highway Safety and Environmental Regulations which strongly urge all states to go to annual safety and emission inspections. Federal funding of highway safety and environmental programs may in the future be involved with compliance.

FISCAL NOTE TO
ASSEMBLY, No. 3010

STATE OF NEW JERSEY

DATED: APRIL 9, 1975

Assembly Bill No. 3010 is an act to revise standards and procedures for the inspection of motor vehicles.

The Division of Budget and Accounting estimates that enactment of this legislation would require a State expenditure of \$235,150.00 for the period of time it is anticipated will remain in fiscal 1974-75, namely, from May 27, 1975 to June 30, 1975. This expenditure would be for salaries for new positions, materials, supplies and equipment.

The Division of Budget and Accounting further estimates that in fiscal 1975-76 a net surplus revenue would accrue to the State in the amount of \$1,064,538.00 and in fiscal 1976-77, a net surplus revenue of \$1,442,212.00 would accrue.

The fiscal note is based on an estimate of costs rather than actual cost information.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

ASSEMBLY AMENDMENT TO
ASSEMBLY, No. 3010

STATE OF NEW JERSEY

ADOPTED APRIL 14, 1975

Amend page 2, section 2, line 6, after "at", insert "a motor vehicle inspection station, or at the option of the vehicle owner have the adjustments, corrections or repairs made and certified thereto at".

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8 *and certified thereto at** a motor vehicle inspection station have
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8 nor more than \$200.00 for a first offense or not less than \$200.00
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5 adopted thereunder, including a finding of guilt made pursuant to
6 section 10 of this act;

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

9 (3) Making reinspection service charges in excess of those posted
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6 Every licensee shall keep such records of reinspections and ap-
7 proval stickers issued as the director may prescribe, shall make
8 such records available to the director upon demand, shall institute
9 such safeguards to secure said stickers from theft, loss or fraudu-
10 lent use as the director may prescribe, and shall upon request
11 account to the director for all said stickers.

1 10. (New section) A licensee or his employee who affixes a re-
2 inspection approval sticker to a motor vehicle without having
3 reinspected the specific item for which the vehicle was initially
4 rejected by a motor vehicle inspection station, or without having

5 determined that the condition of the item conforms to standards
6 established by law or regulation, shall be guilty of violating the
7 provisions of this chapter, and shall be fined not less than \$50.00
8 nor more than \$200.00 for a first offense or not less than \$200.00
9 nor more than \$1,000.00 for a second or subsequent offense. This
10 section shall be enforced pursuant to R. S. 39:8-9.

1 11. (New section) a. The director may deny, suspend or revoke
2 a reinspection center license or refuse renewal thereof for cause,
3 including but not limited to one or more of the following:

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

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

9 (3) Making reinspection service charges in excess of those posted
10 in the licensed premises and filed with the director;

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

12 (5) Violation of The Consumer Fraud Act, P. L. 1967, c. 301
13 (C. 56:8-1 et seq.) or of any regulation adopted thereunder;

14 (6) Other good cause.

15 b. The director may suspend a license for such period as he
16 deems fit, pursuant to the Administrative Procedure Act, P. L.
17 1968, c. 40 (C. 52:14D-1 et seq.) If the director determines that the
18 public interest requires suspension of a license pursuant to this
19 act prior to hearing, the director may do so, provided that the
20 licensee is afforded the opportunity for a hearing within 10 days
21 of the effective date of the suspension, and an administrative
22 adjudication as soon thereafter as possible.

23 c. The suspension or revocation of a reinspection center license
24 shall not of itself be cause for the denial, suspension or revocation
25 of any other business license held by the reinspection center
26 licensee issued by the State or any of its political subdivisions.

1 12. (New section) Any licensee who discontinues operation of a
2 reinspection center, or whose license has been suspended or revoked,
3 or whose renewal thereof has been denied, shall forthwith deliver
4 to the director the license, all unused reinspection approval stickers,
5 all reinspection records and other items issued to the licensee or
6 required by the director to be kept in connection with the operation
7 of the reinspection center. Any person who fails to deliver said
8 items to the director is a disorderly person.

1 13. (New section) Any person who shall display or cause or
2 permit to be displayed any sign, mark, or advertisement as a re-

3 inspection center when a license has not been issued by the director
4 or is not then in effect, or who shall transfer or attempt to transfer
5 a reinspection center license is a disorderly person.

1 14. (New section) The director may, subject to existing law,
2 employ such persons and make such expenditures as are necessary
3 to supervise the operation of licensed reinspection centers to insure
4 compliance with the provisions of this act and the regulations
5 adopted pursuant thereto.

1 15. (New section) The director may adopt such rules and regula-
2 tions as may be required or appropriate to effectuate the purposes
3 of this act.

1 16. This act shall take effect immediately.

SENATE LAW, PUBLIC SAFETY
AND DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3010

STATE OF NEW JERSEY

DATED: APRIL 17, 1975

This bill authorizes the Division of Motor Vehicles to license automotive service businesses to certify their own repair work so that motorists do not have to return to a State inspection station for approval of rejected items. Presently, the vast percentage of motorists have their autos repaired at garages and then are obligated to return to inspection stations. It also provides for motorists who repair their own rejected vehicles.

This bill requires the Division of Motor Vehicles to supervise all privately-licensed reinspection centers and gives the director the authority to revoke the license of a private reinspection center for cause on failure to abide by the rules and regulations promulgated by the Division of Motor Vehicles or for certain other enumerated reasons. Likewise, the director may suspend a license pursuant to the Administrative Procedure Act, or without a hearing on a finding that the public interest so requires such suspension. Finally, there are provisions for other violations and implementing provisions.

The purpose of this bill is to reduce to reasonable levels the waiting times at motor vehicle inspection stations while permitting the continuation of a State-operated inspection system within the limits of present resources and physical facilities. The committee recognizes that it will greatly reduce the number of motor vehicles in inspection lines, many of which simply need reinspection for minor repairs.

SENATE AMENDMENT TO
ASSEMBLY, No. 3010

[OFFICIAL COPY REPRINT]

[CORRECTED COPY]

STATE OF NEW JERSEY

ADOPTED MAY 5, 1975

Amend page 5, section 16, line 1, after "immediately" insert ", but the amendatory provisions of sections 1 and 2 of this act, and sections 3 through 15 of this act shall terminate and be of no further force and effect on and after ***[September]*** *November* 30, 1977 unless extended by act of the Legislature".

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

FURTHER SENATE AMENDMENT TO
ASSEMBLY, No. 3010

[OFFICIAL COPY REPRINT]

[CORRECTED COPY]

STATE OF NEW JERSEY

ADOPTED MAY 5, 1975

Amend page 5, section 16, line 1, delete "September 30, 1977", insert
"November 30, 1977".

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

[SENATE REPRINT]
ASSEMBLY, No. 3010
[OFFICIAL COPY REPRINT]

With Senate amendment and further Senate amendment
adopted May 5, 1975

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1975

By Assemblymen ESPOSITO and HYNES

Referred to Committee on Transportation and Communications

AN ACT to revise standards and procedures for the inspection of motor vehicles, amending R. S. 39:8-2 and 39:8-4 and supplementing chapter 8 of Title 39 of the Revised Statutes.

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

1 1. R. S. 39:8-2 is amended to read as follows:
2 39:8-2. The director may designate and appoint, subject to
3 existing laws, competent examiners of motor vehicles to examine
4 motor vehicles required to be inspected in accordance with the
5 provisions of this chapter. Such examiners may be delegated to
6 enforce the provisions of the motor vehicle and traffic law.

7 The director may make rules and regulations with respect to
8 the character and frequency of the inspections to be made, *and*
9 *with respect to the approval or rejection of motor vehicles as a*
10 *result of such inspections.*

10A The director shall furnish to designated examiners official cer-
10B tificates of approval, the form, content and use of which he shall
10C prescribe.

11 The director may, with the approval of the State House Com-
12 mission, purchase, lease or acquire by the exercise of the power
13 of eminent domain any property for the purpose of assisting him
14 in carrying out the provisions of this chapter. Such property may
15 also be used by the director for the exercise of the duties and
16 powers conferred upon him by the other chapters of this Title.

17 The director shall make a charge **[for such examinations]** of
18 \$1.00 **[annually]** *for the initial inspection* for each vehicle subject
19 to inspection, which amount shall be paid to the director or his
20 representative when payment of the registration fees fixed in
21 chapter 3 of this Title is made; provided, however, that the said

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

22 charge for passenger automobiles shall be paid as part of the
23 registration fee for such vehicles, as provided in section 39:3-8
24 of this Title. *Said fee is not applicable to reinspection by licensed*
25 *reinspection centers of vehicles rejected upon initial inspection at*
26 *a motor vehicle inspection station.*

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

2 39:8-4. If inspections as required by section 39:8-1 of this Title
3 disclose the necessity for adjustments, corrections or repairs, [it
4 shall be incumbent upon] *the director may require* the owner of
5 any such motor vehicle to have such adjustments, corrections or
6 repairs made *and thereafter reinspected at *a motor vehicle in-*
7 *spection station, or at the option of the vehicle owner have the ad-*
8 *justments, corrections or repairs made and certified thereto at**
9 *a licensed reinspection center* within the period designated by the
10 [commissioner] *director.*

1 3. (New section) The director may, after appropriate inquiry
2 and investigation, license to operate reinspection centers as many
3 qualified and properly equipped persons engaged in the business
4 of motor vehicle repairs and service as are necessary, to certify
5 that the specific items for which a vehicle was initially rejected
6 at a motor vehicle inspection station have been adjusted, corrected
7 or repaired by him or under his direction, and that the condition
8 of said items conforms to the standards established by law or
9 regulation. Such certification shall be evidenced by a reinspection
10 approval sticker placed on the vehicle as prescribed by the director.

1 4. (New section) A licensee shall reinspect and certify any
2 vehicle presented to him for adjustment, correction or repair, and
3 any vehicle presented by an owner who himself has made the
4 necessary adjustment, correction or repair. Such certification
5 shall indicate that the licensee or his employee has reinspected the
6 items for which a vehicle has been rejected, as prescribed by the
7 director, and has found that the condition of said items conforms
8 to the standards established by law or regulation.

1 5. (New section) a. A licensee may charge any owner whose
2 vehicle was adjusted, corrected or repaired by or under the direc-
3 tion of the licensee an amount for certification to be determined
4 by the director.

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

11 time for which a licensee may charge, and shall determine the
12 charge for certification.

13 c. Licensees shall post a schedule of charges for reinspection
14 and for certification in a prominent place on the premises, and shall
15 file a copy thereof with the director.

1 6. (New section) The director may license any person who is
2 the owner or lessee of 50 or more motor vehicles to reinspect and
3 certify those vehicles if initially inspected at a motor vehicle inspec-
4 tion station if such person has available to him the equipment,
5 facilities and qualified employees necessary to make the required
6 adjustments, corrections or repairs. Such licensee shall certify
7 that the items for which a vehicle was initially rejected have been
8 adjusted, corrected or repaired by him or under his direction and
9 that the condition of said items conforms to the standards estab-
10 lished by law or regulation. Such certification shall be evidenced
11 by a reinspection approval sticker placed on the vehicle as pre-
12 scribed by the director.

1 7. (New section) Every reinspection center license issued on or
2 after May 1 in any year shall be valid through June 30 of the
3 following year, except that any such license issued prior to July 1,
4 1975 shall be valid through June 30, 1976.

1 8. (New section) An application or renewal for a reinspection
2 center license shall be in such form and shall contain such informa-
3 tion as the director may prescribe, and shall be accompanied
4 annually by a nonrefundable \$10.00 fee which shall be remitted to
5 the General Treasury. The director shall require a licensee to have
6 in effect at all times liability insurance or such other proof of
7 financial responsibility as he may prescribe, and may require such
8 other qualifications of a licensee and his premises as are necessary.

1 9. (New section) The director shall provide each licensee as
2 many numbered reinspection approval stickers as may be required,
3 and may charge the licensee \$0.50 for each sticker. If a sticker
4 expires prior to its use, the \$0.50 fee already paid shall be applied
5 toward the future purchase of stickers, and shall not be refunded.
6 Every licensee shall keep such records of reinspections and ap-
7 proval stickers issued as the director may prescribe, shall make
8 such records available to the director upon demand, shall institute
9 such safeguards to secure said stickers from theft, loss or fraudu-
10 lent use as the director may prescribe, and shall upon request
11 account to the director for all said stickers.

1 10. (New section) A licensee or his employee who affixes a re-
2 inspection approval sticker to a motor vehicle without having

3 reinspected the specific item for which the vehicle was initially
 4 rejected by a motor vehicle inspection station, or without having
 5 determined that the condition of the item conforms to standards
 6 established by law or regulation, shall be guilty of violating the
 7 provisions of this chapter, and shall be fined not less than \$50.00
 8 nor more than \$200.00 for a first offense or not less than \$200.00
 9 nor more than \$1,000.00 for a second or subsequent offense. This
 10 section shall be enforced pursuant to R. S. 39:8-9.

1 11. (New section) a. The director may deny, suspend or revoke
 2 a reinspection center license or refuse renewal thereof for cause,
 3 including but not limited to one or more of the following:

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

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

9 (3) Making reinspection service charges in excess of those posted
 10 in the licensed premises and filed with the director;

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

12 (5) Violation of The Consumer Fraud Act, P. L. 1967, c. 301
 13 (C. 56:8-1 et seq.) or of any regulation adopted thereunder;

14 (6) Other good cause.

15 b. The director may suspend a license for such period as he
 16 deems fit, pursuant to the Administrative Procedure Act, P. L.
 17 1968, c. 40 (C. 52:14D-1 et seq.) If the director determines that the
 18 public interest requires suspension of a license pursuant to this
 19 act prior to hearing, the director may do so, provided that the
 20 licensee is afforded the opportunity for a hearing within 10 days
 21 of the effective date of the suspension, and an administrative
 22 adjudication as soon thereafter as possible.

23 c. The suspension or revocation of a reinspection center license
 24 shall not of itself be cause for the denial, suspension or revocation
 25 of any other business license held by the reinspection center
 26 licensee issued by the State or any of its political subdivisions.

1 12. (New section) Any licensee who discontinues operation of a
 2 reinspection center, or whose license has been suspended or revoked,
 3 or whose renewal thereof has been denied, shall forthwith deliver
 4 to the director the license, all unused reinspection approval stickers,
 5 all reinspection records and other items issued to the licensee or
 6 required by the director to be kept in connection with the operation
 7 of the reinspection center. Any person who fails to deliver said
 8 items to the director is a disorderly person.

1 13. (New section) Any person who shall display or cause or

2 permit to be displayed any sign, mark, or advertisement as a re-
3 inspection center when a license has not been issued by the director
4 or is not then in effect, or who shall transfer or attempt to transfer
5 a reinspection center license is a disorderly person.

1 14. (New section) The director may, subject to existing law,
2 employ such persons and make such expenditures as are necessary
3 to supervise the operation of licensed reinspection centers to insure
4 compliance with the provisions of this act and the regulations
5 adopted pursuant thereto.

1 15. (New section) The director may adopt such rules and regula-
2 tions as may be required or appropriate to effectuate the purposes
3 of this act.

1 16. This act shall take effect immediately **but the amendatory*
2 *provisions of sections 1 and 2 of this act, and sections 3 through 15*
3 *of this act shall terminate and be of no further force and effect*
4 *on and after ****[September]**** ****November**** 30, 1977 unless*
5 *extended by act of the Legislature*.*

CHAPTER 156 LAWS OF N. J. 1975
APPROVED 7-16-75

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3010

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1975

By Assemblymen ESPOSITO and HYNES

Referred to Committee on Transportation and Communications

AN ACT to revise standards and procedures for the inspection of motor vehicles, amending R. S. 39:8-2 and 39:8-4 and supplementing chapter 8 of Title 39 of the Revised Statutes.

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

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

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

7 The director may make rules and regulations with respect to
8 the character and frequency of the inspections to be made, *and*
9 *with respect to the approval or rejection of motor vehicles as a*
10 *result of such inspections.*

10A The director shall furnish to designated examiners official cer-
10B tificates of approval, the form, content and use of which he shall
10C prescribe.

11 The director may, with the approval of the State House Com-
12 mission, purchase, lease or acquire by the exercise of the power
13 of eminent domain any property for the purpose of assisting him
14 in carrying out the provisions of this chapter. Such property may
15 also be used by the director for the exercise of the duties and
16 powers conferred upon him by the other chapters of this Title.

17 The director shall make a charge **[for such examinations]** of
18 \$1.00 **[annually]** *for the initial inspection* for each vehicle subject
19 to inspection, which amount shall be paid to the director or his
20 representative when payment of the registration fees fixed in
21 chapter 3 of this Title is made; provided, however, that the said

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23 registration fee for such vehicles, as provided in section 39:3-8
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25 *reinspection centers of vehicles rejected upon initial inspection at*
26 *a motor vehicle inspection station.*

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5 any such motor vehicle to have such adjustments, corrections or
6 repairs made *and thereafter reinspected at *a motor vehicle in-*
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9 *a licensed reinspection center* within the period designated by the
10 [commissioner] *director.*

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2 and investigation, license to operate reinspection centers as many
3 qualified and properly equipped persons engaged in the business
4 of motor vehicle repairs and service as are necessary, to certify
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7 provisions of this chapter, and shall be fined not less than \$50.00
8 nor more than \$200.00 for a first offense or not less than \$200.00
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6 section 10 of this act;

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8 the conduct of the licensed activity;

9 (3) Making reinspection service charges in excess of those posted
10 in the licensed premises and filed with the director;

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15 b. The director may suspend a license for such period as he
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18 public interest requires suspension of a license pursuant to this
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8 items to the director is a disorderly person.

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2 tions as may be required or appropriate to effectuate the purposes
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1 16. This act shall take effect immediately **but the amendatory*
2 *provisions of sections 1 and 2 of this act, and sections 3 through 15*
3 *of this act shall terminate and be of no further force and effect*
4 *on and after ****[September]**** ****November**** 30, 1977 unless*
5 *extended by act of the Legislature*.*

FROM THE OFFICE OF THE GOVERNOR

JULY 16, 1975

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Wednesday two bills designed to reduce waiting lines at motor vehicle inspection stations.

One bill, A-3010, sponsored by Assemblyman Michael Esposito, D-Hudson, permits vehicles which have failed inspection to be reinspected at licensed private service stations.

The other measure, A-3011, also sponsored by Assemblyman Esposito, permits the Director of the Division of Motor Vehicles to issue a certificate of approval for a motor vehicle needing an adjustment or repair but which the Director determines will not endanger the safe operation of the vehicle. The owner of the motor vehicle would be required to make the adjustment or repair within a specified period of time.

The reinspection bill provides for the Director to license as reinspection centers as many service stations as are necessary to certify that motor vehicles in need of adjustments have been repaired in accordance with motor vehicle standards. The reinspection center would issue an approval sticker.

The service station would be permitted to charge a reinspection fee to be determined by the Director.

The service station would be required to post a schedule of charges for reinspection and certification.

The Director may suspend or revoke a reinspection center license for violating the provisions of the law.

The bill also provides fines of up to \$200 for a first offense and up to \$1,000 for subsequent offenses for the wrongful certification of a motor vehicle.

The measure is effective until November 30, 1977, to permit an evaluation of the new program.

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