

TITLE 13. LAW AND PUBLIC SAFETY
CHAPTER 20. ENFORCEMENT SERVICE
SUBCHAPTER 28. INSPECTION OF NEW MOTOR VEHICLES

N.J.A.C. § 13:20-28.3

§ 13:20-28.3 Definitions

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

"Director" means the Director of the Division of Motor Vehicles in the Department of Transportation.

"Division" means the Division of Motor Vehicles in the Department of Transportation.

"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.

"New motor vehicle" means every new motor vehicle, regardless of registration class, except omnibuses that are subject to inspection by the Division's Commercial Bus Inspection and Investigation Unit, school buses, diesel trucks having a GVWR of 10,000 pounds or more, diesel truck tractors as defined in N.J.S.A. 39:1-1, and vehicles that run upon rails or tracks.

"New motor vehicle dealer" or "new motorcycle dealer" means a dealer licensed pursuant to N.J.S.A. 39:10-19 to sell new motor vehicles or new motorcycles, its employees and/or agents.

"Pre-delivery checklist" means a list of items and procedures which a new motor vehicle dealer, new motorcycle dealer, or motor vehicle leasing company is required or recommended by a manufacturer to check or follow prior to delivery of a new motor vehicle to a purchaser or lessee.

"Ultimate purchaser" means any person, other than a motor vehicle dealer purchasing in its capacity as a motor vehicle dealer, who in good faith purchases or leases a new motor vehicle from a new motor vehicle dealer or leases a new motor vehicle from a motor vehicle leasing company.

NOTES:

HISTORY:

Amended by R.1999 d.422, effective December 6, 1999.

See: 31 New Jersey Register 2466(a), 31 New Jersey Register 4078(a).

Amended by R.2001 d.20, effective January 16, 2001.

See: 32 New Jersey Register 3720(a), 33 New Jersey Register 269(a).

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 New Jersey Register 1894(a), 33 New Jersey Register 3651(b).

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

See: 34 New Jersey Register 2523(a), 35 New Jersey Register 2251(b).

Chapter Note

N.J.A.C. § 13:20-28.4

N.J.A.C. § 13:20-28.4

§ 13:20-28.4 Manufacturers' new motor vehicle inspection procedure

(a) A new motor vehicle dealer shall, prior to delivery to an ultimate purchaser of a new motor vehicle, inspect the safety and emission control devices on such motor vehicle and perform such services as may be necessary so that such motor vehicle conforms to specifications established by the manufacturer and contained in its pre-delivery checklist.

(b) A motor vehicle leasing company that takes delivery of a new motor vehicle from a franchised New Jersey licensed new motor vehicle dealer may, prior to delivery of such motor vehicle to a lessee, inspect the safety and emission control devices on such motor vehicle and perform such services as may be necessary so that such motor vehicle conforms to specifications established by the manufacturer and contained in its pre-delivery checklist.

(c) A new motor vehicle dealer's or motor vehicle leasing company's completion of the pre-delivery inspection procedure required or recommended by the manufacturer shall be deemed by the Director to render the new motor vehicle safe for operation on any public road, street, or highway or any public or quasi-public property in this State.

(d) Any new motorcycle dealer which inspects new motorcycles pursuant to this subchapter must be licensed as a Class III private inspection facility pursuant to N.J.A.C. 13:20-44.

NOTES:**HISTORY:**

Amended by R.1999 d.422, effective December 6, 1999.

See: 31 New Jersey Register 2466(a), 31 New Jersey Register 4078(a).

Amended by R.2001 d.20, effective January 16, 2001.

See: 32 New Jersey Register 3720(a), 33 New Jersey Register 269(a).

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 New Jersey Register 1894(a), 33 New Jersey Register 3651(b).

Chapter Note

N.J.A.C. § 13:20-28.6

§ 13:20-28.6 Decal; period of validity

(a) A new motor vehicle dealer or a motor vehicle leasing company shall, after satisfactory completion of an inspection of a new motor vehicle pursuant to this subchapter, affix a decal upon such motor vehicle as an indication of same. The decal shall be affixed to the lower left corner of the windshield inside the passenger compartment of the motor vehicle, approximately three inches from the bottom of the windshield and approximately four inches from the left side of the windshield, but in every case, the decal shall be completely visible from the front of the motor vehicle. The decal shall be affixed in an upright position. In the case of a new motorcycle, the decal shall be affixed to the right side of the rear license plate, equally centered between the upper right and lower right corners of the license plate, in such a position as to be easily visible for enforcement purposes.

(b) A new motor vehicle receiving a decal as an indication of successful inspection pursuant to this subchapter shall next be inspected not later than two years from the last day of the calendar month in which the motor vehicle was inspected by the new motor vehicle dealer or the motor vehicle leasing company, and the decal affixed to the motor vehicle by the new motor vehicle dealer or the motor vehicle leasing company shall so indicate.

N.J.A.C. § 13:20-28.6

NOTES:

HISTORY:

Amended by R.1999 d.422, effective December 6, 1999.

See: 31 New Jersey Register 2466(a), 31 New Jersey Register 4078(a).

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 New Jersey Register 1894(a), 33 New Jersey Register 3651(b).

Chapter Note

N.J.A.C. § 13:20-28.7

§ 13:20-28.7 Compliance

(a) A new motor vehicle dealer shall not deliver a new motor vehicle to an ultimate purchaser unless such motor vehicle has been inspected pursuant to this subchapter and found to be in compliance with the equipment standards set forth in N.J.A.C. 13:20-28.5(a).

(b) A motor vehicle leasing company that performs inspections of new motor vehicles pursuant to this subchapter shall not lease a new motor vehicle to a lessee unless such motor vehicle has been found to be in compliance with the equipment standards set forth in N.J.A.C. 13:20-28.5(a).

NOTES:

HISTORY:

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 New Jersey Register 1894(a), 33 New Jersey Register 3651(b).

Chapter Note

N.J.A.C. § 13:20-28.8

§ 13:20-28.8 Evidence of compliance

(a) Completion by the new motor vehicle dealer or motor vehicle leasing company of the manufacturer's pre-delivery checklist shall be evidence of compliance with this subchapter.

(b) Such pre-delivery checklist shall be retained by the new motor vehicle dealer or the motor vehicle leasing company for a period of at least three years from the date of inspection.

NOTES:

HISTORY: