

SUBCHAPTER 14. CONTROL AND PROHIBITION OF AIR POLLUTION FROM DIESEL-POWERED MOTOR VEHICLES

7:27-14.1 Definitions

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

"Autobus" includes all motor vehicles used for the transportation of passengers for hire.

"Department" means the Department of Environmental Protection.

"Diesel-powered engine" means a mechanism for converting energy into mechanical force and motion by using a compression ignition type of internal combustion engine.

"Diesel-powered motor vehicle" means a vehicle which is self-propelled by a compression ignition type of internal combustion engine and which is designed primarily for transporting persons or property on a public street or highway; for purposes of this subchapter, passenger automobiles and motorcycles are excluded.

"Exhaust emissions" means substances emitted into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

"Idle" means the motor vehicle operating mode consisting of a nonloaded, throttled engine speed at the revolutions per minute specified by the manufacturer.

"Motor vehicle" means all vehicles propelled otherwise than by muscular power, excepting motorized bicycles and such vehicles as run only upon rails or tracks.

"Opacity" means the property of a substance which renders it partially or wholly obstructive to the transmission of visible light expressed as the percentage to which light is obstructed.

"Person" means corporations, companies, associations, societies, firms, partnerships and joint stock companies, as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Smoke" means small gasborne or airborne particles, exclusive of water vapor, arising from a process of combustion in sufficient number to be observable.

R.1970 d.148, eff. June 19, 1971.

See: 2 N.J.R. 54(c), 3 N.J.R. 4(a).

Amended by R.1985 d.1, effective January 21, 1985 (operative July 1, 1985).

See: 16 N.J.R. 2888, 17 N.J.R. 189(b).

Section substantially amended.

Administrative Corrections.

See: 23 N.J.R. 1432(d).

7:27-14.2 Inspection standard

(a) Any motor vehicle propelled by a diesel-powered engine which is subject to inspection by the owner or lessee at the premises or places of business of the owner or lessee as required by the Division of Motor Vehicles as a condition of compliance with said inspection shall not emit smoke in the exhaust emissions in excess of the 20 percent smoke opacity standard as determined according to the inspection procedure established at N.J.A.C. 7:27B-4.3.

(b) Any diesel-powered autobus which is subject to the inspection rules and regulations of the New Jersey Department of Transportation (reference N.J.S.A. 48:4, and N.J.A.C. 16:53) as a condition of compliance with said inspection shall not emit smoke in the exhaust emissions in excess of the 12 percent smoke opacity standard as determined according to the inspection procedure established at N.J.A.C. 7:27B-4.4.

R.1970 d.148, eff. June 19, 1971.

See: 2 N.J.R. 54(c), 3 N.J.R. 41(a).

Amended by R.1985 d.1, effective January 21, 1985 (operative July 1, 1985).

See: 16 N.J.R. 2888, 17 N.J.R. 189(b).

This section was originally codified at 14.3 and was recodified with substantial changes. The old section 14.2 Public highway standard has been repealed.

7:27-14.3 Idle standard

(a) No person shall cause, suffer, allow, or permit the engine of a diesel-powered motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion, except:

1. A motor vehicle at the vehicle operator's place of business where the motor vehicle is permanently assigned may idle for 30 consecutive minutes; or

2. A motor vehicle may idle for 15 consecutive minutes when the vehicle engine has been stopped for three or more hours.

(b) The provisions of (a) above shall not apply to:

1. Autobuses while discharging or picking up passengers;

2. Motor vehicles stopped in a line of traffic;

3. Motor vehicles whose primary and/or secondary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion, passenger compartment heating or air conditioning;

4. Motor vehicles being or waiting to be examined by State or Federal motor vehicle inspectors;

5. Emergency motor vehicles in an emergency situation;

6. Motor vehicles while being repaired;

7. Motor vehicles while engaged in the process of connection, detachment or exchange of trailers; or

8. Motor vehicles manufactured with a sleeper berth while being used, in a non-residentially zoned area, by the vehicle's operator for sleeping or resting.

R.1970 d.148, eff. June 19, 1971.

See: 2 N.J.R. 54(c), 3 N.J.R. 4(a).

Amended by R.1985 d.1, effective January 21, 1985 (operative July 1, 1985).

See: 16 N.J.R. 2888, 17 N.J.R. 189(b).

Section recodified to 14.2 and this section repealed.

New Rule R.1985 d.610, effective December 2, 1985 (operative May 5, 1986).

See: 16 N.J.R. 2886(a), 17 N.J.R. 2887(a).
