

(b) For adjustments or repairs performed by a registered motor vehicle emission repair facility (ERF):

1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered into the electronic inspection database by the licensed emission repair facility, and if the information is present, the inspector shall conduct the reinspection of the vehicle; or

2. If the repair information has not been entered into the electronic inspection database, the inspector shall request the previously issued Emission Repair Form and enter the repair information into the electronic inspection database and conduct the reinspection of the vehicle.

(c) For adjustments or repairs performed by the owner or lessee:

1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered, and if no repair information has been entered into the database, then the inspector shall enter "self-repaired" into the electronic inspection database and conduct the reinspection of the vehicle.

(d) For adjustments or repairs performed by a person possessing a nationally recognized certification for emission-related repairs and diagnosis:

1. The inspector shall query the electronic inspection database to ascertain and confirm repair information has been entered, and if no repair information has been entered into the database, the inspector shall request the previously issued Emission Repair Form and enter the repair information into the electronic inspection database and conduct the reinspection of the vehicle.

(e) All motor vehicles subject to a reinspection, including motor vehicles that have failed an on-road inspection conducted in accordance with N.J.A.C. 13:20-43.14, for noncompliance with the emission, OBD, or mechanical inspection standards shall, if required by rule, be subject to reinspection.

(f) If the motor vehicle passes the reinspection, the Motor Vehicle Commission, or an authorized inspector, shall issue a certificate of approval for the motor vehicle indicating compliance. If the motor vehicle fails to pass the reinspection, the Motor Vehicle Commission, or an authorized inspector, shall issue a motor vehicle inspection report indicating noncompliance.

13:20-43.12 Inspection extensions

(a)-(c) (No change.)

(d) The owner or lessee of a motor vehicle registered in New Jersey that has failed inspection and requires repairs, other than repairs required to be made pursuant to N.J.A.C 13:20-7.6, which cannot be completed prior to the date by which the motor vehicle must be presented for reinspection due to the nature of the repairs that are required, shall notify the Motor Vehicle Commission of the exact date upon which the repairs to the motor vehicle shall be completed. On receipt of the notification, the Chief Administrator, or his or her designee, may, for good cause, issue a letter extending the time period in which to have the motor vehicle reinspected; provided that, only one extension letter shall be granted per each inspection cycle established for the motor vehicle. The inspection extension shall be valid from the date upon which repairs to the motor vehicle shall be completed to 14 days thereafter, and in no event shall the extension be valid beyond the expiration of the inspection cycle established for the motor vehicle.

13:20-43.17 Emission inspector training and licensing; training administration; testing; application process; license fee; renewal of license; refresher training and testing; conflicts of interest

(a) No person shall perform an emission or OBD inspection required by this subchapter, unless licensed by the Motor Vehicle Commission to perform such inspection. In order to obtain licensure as a motor vehicle emission inspector, an applicant shall complete a training program that shall consist of acquiring an understanding of:

1.-7. (No change.)

8. Public relations;

9. Personal safety and health issues related to the inspection process; and

10. An overview of the New Jersey inspection program, including OBD, diesel safety inspections, and emission repairs.

(b)-(i) (No change.)

(j) An applicant who fails the written and/or hands-on inspector license test shall not be retested until a period of two calendar weeks have elapsed from the date of the applicant's last test.

SUBCHAPTER 44. PRIVATE INSPECTION FACILITY LICENSING

13:20-44.10 Inspection certificates of approval

(a) The inspection certificate of approval for motor vehicles shall be composed of a base inspection sticker and insert indicating, respectively, the year and month of expiration of the certificate of approval.

(b) Base inspection stickers for motor vehicles shall be purchased by a licensee, by mail or in person, from the Private Inspection Facility Licensing Unit of the Motor Vehicle Commission at the address specified at N.J.A.C. 13:20-44.4(a).

(c) Base inspection stickers for motor vehicles shall be purchased by a licensee at \$1.00 per sticker in quantities of 25 or more.

(d) A licensee shall secure base inspection stickers for motor vehicles in a locked place of limited access, such as a safe, cabinet, or desk drawer. The licensee is solely responsible for the security of base inspection stickers for motor vehicles. A licensee's failure to take necessary precautions to secure base inspection stickers for motor vehicles from loss or theft shall be cause for suspension or revocation of the license.

(e)-(g) (No change.)

(h) A licensee shall secure motor vehicle inspection reports separate and apart from base inspection stickers for motor vehicles in a locked place of limited access, such as a safe, cabinet, or desk drawer.

(i) A licensee shall record the date of issuance of the inspection certificate of approval on the corresponding motor vehicle inspection report.

(j) A licensee shall retain defective or voided inspection certificates of approval and motor vehicle inspection reports and shall surrender them to a Motor Vehicle Commission representative at the time of a periodic audit conducted by the Motor Vehicle Commission.

(k) A licensee shall notify the local law enforcement agency upon determining that a base inspection sticker(s) for a motor vehicle has been stolen and shall file a copy of such report with the Motor Vehicle Commission.

(l) A licensee shall return all unused base inspection stickers for motor vehicles and all unused motor vehicle inspection reports to a Motor Vehicle Commission representative upon the licensee's discontinuation of inspection certification services.

(m) A licensee shall be solely responsible for base inspection stickers for motor vehicles, motor vehicle inspection reports, and motorcycle inspection cards issued to it by the Motor Vehicle Commission.

(n) (No change.)

SUBCHAPTER 50B. BODY STANDARDS FOR SCHOOL BUSES

13:20-50B.28 Overall width

The overall width of school buses powered solely by electricity shall not exceed 102 inches, excluding accessories, pursuant to N.J.S.A. 39:3B-28. The maximum overall width of all other school buses shall not exceed 96 inches, excluding accessories.

(a)

**MOTOR VEHICLE COMMISSION**

**Licensing Services**

**Commercial Driver Licensing**

**Adopted Amendments: N.J.A.C. 13:21-23.2, 23.3, 23.6, 23.10, 23.12, 23.14, and 23.15**

Proposed: August 2, 2021, at 53 N.J.R 1267(a).

Adopted: October 29, 2021, by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Filed: October 29, 2021, as R.2021 d.133, **without change**.  
 Authority: N.J.S.A. 39:2-3, 39:2A-21, 39:2A-28, and 39:3-10.27.  
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 Expiration Date: September 9, 2027.

**Summary of Public Comment and Agency Response:**  
**No comments were received.**

**Federal Standards Statement**

The adopted amendments are subject to, but do not exceed, Federal standards. The adopted amendments are intended to implement and comply with Federal law, specifically 49 CFR 380, 383, and 384.

**Full text** of the adoption follows:

**SUBCHAPTER 23. COMMERCIAL DRIVER LICENSING**

13:21-23.2 Driver application procedures; initial; examination permit; transfer from another state; renewal; upgrade; endorsements; form; fee; legal name defined

(a) To obtain a CDL, a person must meet the following requirements:  
 1. (No change.)

2. Pass a driving or skills test in accordance with the standards at N.J.A.C. 13:21-23.8 through 23.15, taken in a motor vehicle that is representative of the type of motor vehicle the person operates, or expects to operate, or provide evidence that he or she has successfully passed a driving test administered by an authorized third party. If the applicant is applying for the first time for a Class A or B CDL, or the applicant is applying to upgrade to a Class A or B CDL, on or after February 7, 2022, the applicant must complete driver training from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384. If the applicant is seeking to obtain for the first time, a passenger (P), school bus (S), or hazardous materials (H) endorsement, on or after February 7, 2022, the applicant must complete driver training related to that endorsement from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384;

3.-8. (No change.)  
 (b)-(l) (No change.)

13:21-23.3 Driver testing and licensing; initial licenses; license transfers; renewals; upgrades; issuance; penalties for false information; penalties for conviction of fraud; penalties for receipt of credible information of fraud; reciprocity

(a) Prior to issuing a CDL to a person, the Commission shall:  
 1.-3. (No change.)

4. Request the applicant's complete driving record from all states where the applicant was previously licensed over the last 10 years to drive any type of motor vehicle;

5. If the applicant is applying for a hazardous materials endorsement, ensure that the applicant has:

i. (No change.)  
 ii. On or after January 31, 2005, received a Notification of No Security Threat from the TSA;

6. Require the driver applicant, if he or she has moved from another state, to surrender his or her driver's license issued by another state; and

7. Verify the applicant's completion of required training using data made available by the Training Provider Registry, as mandated at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384.

(b)-(c) (No change.)

(d) Prior to issuing an upgrade of a CDL, the Commission shall:

1. Require such driver applicant to obtain an examination permit, provide certifications and pass tests as described at N.J.A.C. 13:21-23.2;

2. Complete a check of the driver applicant's record as described at (a)3 above;

3. If the driver applicant is applying for a hazardous materials endorsement:

i. (No change.)  
 ii. On or after January 31, 2005, ensure that the driver applicant has received a Notification of No Security Threat from the TSA; and

4. Verify the applicant's completion of required training using data made available by the Training Provider Registry, as mandated at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384.

(e)-(j) (No change.)

13:21-23.6 Endorsements; descriptions; testing requirements

(a) If an applicant is seeking to obtain for the first time, a passenger (P), school bus (S), or hazardous materials (H) endorsement, on or after February 7, 2022, the applicant must complete driver training related to that endorsement from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384. In addition to taking and passing the knowledge and skills tests described at N.J.A.C. 13:21-23.8 through 23.15, all persons who operate or expect to operate the type(s) of motor vehicles described at (b) below shall take and pass specialized tests to obtain each endorsement. The Commission shall issue initial CDL endorsements only to drivers who successfully complete the required entry-level driver training.

(b)-(c) (No change.)

13:21-23.10 Required skills; control skills; safe driving skills; air brake skills; test area; simulation; out-of-State testing; time requirement between knowledge test and skills test

(a)-(f) (No change.)

(g) If the applicant is applying for the first time for a Class A or B CDL, or the applicant is applying to upgrade to a Class A or B CDL, on or after February 7, 2022, the applicant must complete driver training from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384, before that applicant can become eligible to take the required tests set forth at (f) above.

13:21-23.12 Requirements for passenger endorsement

(a) (No change.)

(b) An applicant seeking to obtain a passenger endorsement for the first time, on or after February 7, 2022, must complete driver training related to that endorsement from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384, prior to taking the knowledge and skills tests required in this section.

13:21-23.14 Requirements for hazardous materials endorsement; waiver of knowledge test

(a)-(b) (No change.)

(c) An applicant seeking to obtain a hazardous materials endorsement for the first time, on or after February 7, 2022, must complete driver training related to that endorsement from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384, prior to taking the knowledge test required in this section.

13:21-23.15 Requirements for a school bus endorsement

(a) An applicant for a school bus endorsement must satisfy the following four requirements:

1.-3. (No change.)

4. An applicant seeking to obtain a school bus endorsement for the first time, on or after February 7, 2022, must complete driver training related to that endorsement from a provider listed on the Training Provider Registry, and in accordance with the requirements set forth at 49 CFR 380, including Subparts F and G thereof, 49 CFR 383 and 384, prior to taking the knowledge and skills tests required in this section.

(b) (No change.)