

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
NEW JERSEY ADMINISTRATIVE CODE
TITLE 7
CHAPTER 27
SUBCHAPTER 14

**Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles
(Diesel-Powered Motor Vehicle Inspection and Maintenance Program)**

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
REGULATORY HISTORY	2
7:27-14.1 Definitions.....	3
7:27-14.2 Applicability.....	7
7:27-14.3 General prohibitions.....	7
7:27-14.4 General public highway standards	9
7:27-14.5 Motor vehicle inspections	10
7:27-14.6 Motor vehicle standards	12
7:27-14.7 Licensed emissions inspectors	14
7:27-14.8 (Reserved)	14
7:27-14.9 (Reserved)	14
7:27-14.10 Penalties	14
7:27-14.11 Non-interference with the motor vehicle codes	15
Appendix	16

Please note: The Department has made every effort to ensure that this text is identical to the official, legally effective version of this rule, set forth in the New Jersey Register. However, should there be any discrepancies between this text and the official version of the rule, the official version will prevail.

REGULATORY HISTORY

Filed: December 21, 1970
Effective: June 19, 1971 (2 N.J.R. 54(c), 3 N.J.R. 4(a))

Revision Promulgated: January 21, 1985
Revision Operative: July 1, 1985 (16 N.J.R. 2888, 17 N.J.R. 189(b))

Revision Promulgated: December 2, 1985
Revision Effective: May 5, 1986 (16 N.J.R. 2886(a), 17 N.J.R. 2887(a))

Administrative Corrections: May 6, 1991 (23 N.J.R. 1432(d))

Revision Promulgated: August 7, 1997
Revision Operative: October 7, 1997 (29 N.J.R. 4108)

Revision Promulgated: May 22, 1998
Revision Operative: July 21, 1998 (30 N.J.R. 2476(b))

Revision Promulgated: June 11, 1999
Revision Effective: July 6, 1999
Revision Operative: August 10, 1999 (31 N.J.R. 1803)

Administrative Correction: October 1, 2001 (33 N.J.R. 3550(a))

Revision Promulgated: July 2, 2007
Revision Operative: July 25, 2007 (39 N.J.R. 2531(a))

Revision Promulgated: August 6, 2007
Revision Operative: September 8, 2007 (39 N.J.R. 3352(a))

Revision Promulgated: May 4, 2009
Revision Operative: June 2, 2009 (41 N.J.R. 2009(a))

Revision Promulgated: November 16, 2009
Revision Operative: December 18, 2009 (41 N.J.R. 4195(b))

7:27-14.1 Definitions

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

“Auxiliary power unit” or **“APU”** means an integrated system that provides heat, air conditioning, engine warming, or electricity to components on a heavy-duty vehicle.

“California Air Resources Board” or **“CARB”** means the agency of the State of California established and empowered to regulate sources of air pollution, including motor vehicles, pursuant to California Health and Safety Code, Sections 39500 et seq.

“Certified configuration” means a heavy-duty diesel engine design or a light-duty diesel-powered motor vehicle-engine-chassis design certified by either of the following agencies as meeting the applicable emission standards for heavy-duty diesel engines or light-duty diesel-powered motor vehicles manufactured in a given model year:

1. EPA, for model year 1971 or for a more recent model year heavy-duty diesel vehicle engine;
2. EPA, for model year 1968 or for a more recent model year light-duty diesel vehicle;
3. CARB, for model year 1973 or for a more recent model year heavy-duty diesel vehicle engine; or
4. CARB, for model year 1966 or for a more recent model year light-duty diesel vehicle.

“Closed crankcase ventilation system” means a system installed upon an internal combustion engine and that is designed to capture all solids, liquids and gases that are emitted from the vent and divert them to the engine intake air plenum for recombustion.

“Data link connector” or **“DLC”** means a standardized nine- or 16-pin diagnostic test receptacle used to connect an analyzer to a motor vehicle.

“Department” means the New Jersey Department of Environmental Protection.

“Diagnostic Trouble Code” or **“DTC”** means an alphanumeric code stored in the on board diagnostic system of a motor vehicle, which generally indicates the malfunction of a system or component. These codes are defined by SAE J2012 Diagnostic Trouble Code Definitions, (MAR92). Copies of SAE J2012 may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096-0001.

“Diesel bus” means any diesel-powered autobus or motorbus of any size or configuration, whether registered in this State or elsewhere, that is designed or used for intrastate or interstate transportation of passengers for hire or otherwise on a public road, street or highway or any public or quasi-public property in this State, including, but not limited to, autobuses under the jurisdiction of the New Jersey Department of Transportation pursuant to Titles 27 or 48 of the Revised Statutes; autobuses of the New Jersey Transit Corporation and its contract carriers that are under the inspection jurisdiction of the New Jersey Department of Transportation; autobuses that are subject to Federal motor carrier safety regulations; autobuses under the authority of the Interstate Commerce Commission or its successor agency; school buses, as defined pursuant to N.J.S.A. 39:1-1; and hotel, casino, charter, and special buses.

“Diesel emissions testing equipment” means equipment used to conduct a test of a diesel-powered motor vehicle in accordance with N.J.A.C. 7:27B-4 and, which satisfies all applicable specifications set forth at N.J.A.C. 7:27B-4.2(d) and 4.6. For motor vehicle inspections conducted pursuant to N.J.A.C. 7:27B-4 and this subchapter, this term shall include all devices used for performing a motor vehicle inspection including, but not limited to, smoke opacity meters, exhaust gas analyzers, on board diagnostic scanners and analyzers and computers and related software.

“Diesel engine” means a compression ignition type of internal combustion engine.

“Diesel particulate filter” or **“DPF”** means an exhaust emissions aftertreatment device that physically entraps and prevents from being emitted into the air at least 85 percent of the particulate matter contained in the full exhaust stream emitted by the engine.

“Diesel-powered” means utilizing a diesel engine.

“Electrification technology” means a technology that harnesses an off-vehicle electrical system to provide a vehicle with climate control and other needs.

“Element of design” means any part or system on a motor vehicle or a motor vehicle engine pertaining to the vehicle's or engine's certified configuration.

“Emission control apparatus” means any device utilized by the vehicle manufacturer and/or the engine manufacturer to control the release of any regulated emission, including any associated component, which monitors the function and maintenance of such a device, regardless of the location of the device on the vehicle. This term shall also include any retrofit device added to the vehicle or engine as part of a mandatory or voluntary retrofit program for emission control.

“EPA” means the United States Environmental Protection Agency.

“EPA Memorandum 1A” means the memorandum dated June 25, 1974, and issued by the EPA's Office of Enforcement and General Counsel, which sets forth the EPA's interim tampering enforcement policy. This term also includes any revisions to the policy set forth in the June 25, 1974, memorandum that are subsequently issued by the EPA. A copy of this EPA

memorandum has been filed with the Office of Administrative Law and may be obtained from the Bureau of Mobile Sources in the Department of Environmental Protection.

“Exhaust emissions” means the emissions (including any liquid or solid particles in the gaseous stream) released into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

“Gross vehicle weight rating” or **“GVWR”** means the value specified by the vehicle manufacturer as the maximum loaded weight of a single or combination vehicle.

“Heavy-duty diesel vehicle” or **“HDDV”** means a diesel-powered motor vehicle, other than a diesel bus, that has a GVWR exceeding 8,500 pounds and is designed primarily for transporting persons or property.

“Idle” means an operating mode where the vehicle engine is in operation while the vehicle is stationary at any location.

“Indicator light” means a light that serves to inform about a given condition in a circuit or device, such as a malfunction.

“Light-duty diesel vehicle” or **“LDDV”** means a diesel-powered motor vehicle, other than a diesel bus, that has a GVWR of 8,500 pounds or less and is designed primarily for transporting persons or property.

“Malfunction indicator light” or **“MIL”** means the light located on the dashboard instrument panel of an OBD-equipped motor vehicle that indicates a malfunction detected by the OBD system by illuminating the words “check engine,” “service engine” or an engine pictograph with the word “check” or “service.”

“Model year” means the engine manufacturer's annual production period, consistent with 40 C.F.R. 86.082, as the same is amended or supplemented, which includes January 1 of such calendar year, provided, that if the manufacturer has no annual production period, this term shall mean a calendar year. The manufacturer's annual production period shall include January 1 of the calendar year for which it is designated and shall not include a January 1 of any other calendar year. Thus, the maximum duration of a model year is one calendar year plus 364 days (or 365 days if the model year includes February 29 in a leap year).

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

“Motor Vehicle Commission” or **“MVC”** means the New Jersey Motor Vehicle Commission established by the Motor Vehicle Security and Customer Service Act (N.J.S.A. 39A:1-1 et seq.).

“OBD-eligible” means capable of receiving an OBD inspection as determined by the Department in accordance with N.J.A.C. 7:27-14.5(h).

“On board diagnostics” or **“OBD”** means an automotive diagnostic system complying with California OBD regulations at Title 13 California Code section 1968.1 or EPA OBD regulations at 40 CFR Part 86.

“Opacity” means the property of a substance whereby it partially or wholly obstructs the transmission of visible light expressed as the percentage to which light is obstructed.

“Peak smoke opacity” means the highest numerical value of smoke opacity obtained through the testing procedures for the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3(a).

“Person” means any individual or entity and shall include, without limitation, corporations, companies, associations, societies, firms, partnerships, and joint stock companies, and shall also include, without limitation, all political subdivisions of any states, and any agencies or instrumentalities thereof.

“Private inspection facility” or **“PIF”** means a facility licensed by the MVC to perform emissions and mechanical inspections. A PIF may also offer motor vehicle parts and repair services.

“Quasi-public roadway” means any roadway that, although under private ownership or control, is accessible to the public. This term shall include, but shall not be limited to, the New Jersey Turnpike, the Garden State Parkway, and the Atlantic City Expressway, but shall not include shopping mall roadways and parking lots, private business roadways, residential and nonresidential parking lots, and private driveways.

“Regulated emission” means any solid, liquid or gaseous substance which is emitted from a motor vehicle or motor vehicle engine and which is regulated by the EPA pursuant to 40 C.F.R. Part 86.

“Retrofit device” means any emissions control apparatus, including exhaust aftertreatment device, that has been installed on the vehicle or engine after the original manufacturing date of the complete vehicle.

“Retrofitted EPA urban diesel bus” means a diesel bus which is equipped with an engine which has been retrofitted or rebuilt to meet a particulate emission standard of 0.10 g/bhp-hr (grams per brake horsepower per hour) in conformance with the requirements set forth at 40 C.F.R. 85.1403(b) or (c).

“Selective catalytic reduction” or **“SCR”** means an advanced active emissions control technology system that injects a liquid-reductant agent through a special catalyst into the exhaust stream of a diesel engine.

“Smoke” means the emissions, including airborne solid and/or liquid particles, exclusive of water vapor, released into the atmosphere from a process of combustion.

7:27-14.2 Applicability

- (a) Except as provided in (b) below, this subchapter applies to all diesel-powered motor vehicles.
- (b) N.J.A.C. 7:27-14.5 and 14.6 do not apply to a diesel-powered motor vehicle that is owned and operated by a county, municipality, fire district, or duly incorporated nonprofit organization for first aid, emergency, ambulance, rescue, or fire-fighting purposes; and that is generally held in ready status, and only brought into service during an emergency requiring immediate action. Such vehicles do not include multi-purpose utility vehicles, such as dump trucks, highway construction vehicles, or other vehicles used to perform temporary emergency service.

7:27-14.3 General prohibitions

- (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 that has been stopped for three or more hours may idle for up to 15 consecutive minutes when the ambient temperature is below 25 degrees Fahrenheit; and
 - 2. A diesel bus while it is actively discharging or picking up passengers may idle for 15 consecutive minutes in a 60-minute period.
- (b) The provisions of (a) above shall not apply to:
 - 1. Any motor vehicle idling in traffic, or a motor vehicle other than a school bus idling in a queue of motor vehicles, that are intermittently motionless and moving because the progress of the motor vehicles in the traffic or the queue has been stopped or slowed by the congestion of traffic on the roadway or by other conditions over which the driver of the idling motor vehicle has no control;
 - 2. A motor vehicle whose primary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion. This use includes, but is not limited to, operating lift gate pumps and controlling cargo temperature. This exemption does not apply to passenger compartment heating or passenger compartment air conditioning;

3. A motor vehicle being or waiting to be examined by a State or Federal motor vehicle inspector;
 4. Vehicles that are actively performing emergency services. Examples include fire vehicles, police vehicles, public utility vehicles, military tactical vehicles and snow removal vehicles, during the time that such vehicles are actively performing emergency services;
 5. A motor vehicle while it is being repaired or serviced, provided that operation of the engine is essential to the proper repair or service;
 6. A vehicle equipped with a sleeper berth and which is equipped with a model year 2007 or newer engine, or has been retrofitted with a diesel particulate filter that is connected and properly functioning, while it is being used by the vehicle's operator for sleeping or resting in an area that is not zoned as residential. This exception shall not apply to a vehicle that is equipped with a functional auxiliary power unit; or
 7. The operation of technology designed to reduce engine idling, such as auxiliary power units, generator sets, and bunk heaters, provided the vehicle's main engine is not operating.
- (c) No person shall cause, suffer, allow, or permit the engine of a diesel-powered motor vehicle to idle for more than three consecutive minutes when that vehicle is parked in a parking space with available electrification technology.
- (d) In no case shall the provisions of (a) and (b) above relieve any person from compliance with N.J.A.C. 7:27-5, Prohibition of Air Pollution, or any other applicable local, State or Federal law.
- (e) No person shall cause, suffer, allow, or permit any of the following, unless it is performed in accordance with EPA Memorandum 1A or it is exempt from prohibition by CARB Executive Order (information on devices or modifications approved by CARB Executive Order may be obtained from the California Air Resources Board, 1001 "I" Street, PO Box 2815, Sacramento, CA 95812 or at www.arb.ca.gov):
1. The disconnection, detachment, deactivation, or any other alteration or modification from the design of the original vehicle manufacturer or an element of design installed on any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration, except temporarily for the purpose of diagnosis, maintenance, repair, or replacement;
 2. The sale, lease, or offer for sale or lease, of any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached,

deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer; or

3. The sale, or offer for sale, of any device or component as an element of design intended for use with, or as part of, any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration that is not designed to duplicate the function and performance of any element of design installed by the original vehicle manufacturer.
- (f) No person shall cause, suffer, allow or permit any retrofit device or any part thereof, or any closed crankcase ventilation system or any part thereof, installed on any diesel-powered motor vehicle pursuant to N.J.S.A. 26:2C-8.26 et seq. and N.J.A.C. 7:27-32 to be disconnected, detached, deactivated, or in any other way rendered inoperable or less effective, in respect to limiting or controlling emissions, than it was designed to be by the original retrofit device or closed crankcase ventilation system manufacturer, except for the purposes of diagnostics, maintenance, repair or replacement and only for the duration of such operations.

7:27-14.4 General public highway standards

- (a) No person shall cause, suffer, allow, or permit the operation of any diesel-powered motor vehicle or motor vehicle engine upon the public roads, streets, or highways of the State or upon any public property or upon any quasi-public roadway in the State, if the vehicle:
1. Emits smoke in the exhaust emissions, the opacity of which exceeds any applicable smoke opacity standards set forth at N.J.A.C. 7:27-14.6;
 2. Emits visible smoke of any color in the exhaust emissions for more than three consecutive seconds when the engine is at normal operating temperature;
 3. Does not have a properly functioning and properly maintained emission control apparatus, as determined according to the emissions control apparatus examination procedures established at N.J.A.C. 7:27B-4.4;
 4. Has an emission control apparatus or an element of design installed on the vehicle or diesel engine or exhaust system that has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer or rendered inoperable or less effective than designed by the original equipment or vehicle or engine manufacturer unless the action in question has been performed in accordance with EPA Memorandum 1A or it is exempt from prohibition by CARB Executive Order (information on devices or modifications approved by CARB Executive Order may be obtained from the California Air Resources Board, 1001 "I" Street, PO Box 2815, Sacramento, CA 95812 or at www.arb.ca.gov); or

5. Has a retrofit device or any part thereof, or a closed crankcase ventilation system or any part thereof, that was installed pursuant to N.J.S.A. 26:2C-8.26 et seq. and N.J.A.C. 7:27-32 and that has been disconnected, detached, deactivated, or in any other way rendered inoperable or less effective, with respect to limiting or controlling emissions, than it was designed to be by the original retrofit device or closed crankcase ventilation system manufacturer.

7:27-14.5 Motor vehicle inspections

- (a) This section applies to the motor vehicle inspection of a diesel-powered motor vehicle, as follows:
 1. The testing of a heavy-duty diesel vehicle, as designated by the Chief Administrator of the MVC, as part of the roadside enforcement program established pursuant to N.J.S.A. 39:8-64 and N.J.A.C. 13:20-46, Diesel Emission Inspection and Maintenance Program;
 2. The testing of a heavy-duty diesel vehicle, as designated by the Chief Administrator of the MVC, as part of the periodic inspection program established pursuant to N.J.S.A. 39:8-64 and N.J.A.C. 13:20-26.17, Compliance with diesel emission standards, equipment requirements, and test procedures; inspection and verification of installation of best available retrofit technology devices; periodic inspection program for diesel emissions; self-inspection; exempt vehicles;
 3. The testing of a diesel bus as part of the periodic inspection program pursuant to N.J.A.C. 13:20-30, Inspection of school buses, or N.J.S.A. 48:4-1 et seq., and N.J.A.C. 16:53, Autobuses;
 4. The testing of a diesel-powered motor vehicle as part of the self-inspection programs pursuant to N.J.A.C. 13:20-26, Compliance with diesel emission standards and equipment, periodic inspection program for diesel emissions and self-inspection of certain classes of motor vehicles; and
 5. The testing of a light-duty diesel vehicle subject to the enhanced inspection and maintenance program pursuant to N.J.S.A. 39:8-1 et seq.
- (b) A person testing a diesel-powered motor vehicle, as referenced at (a)1, 2, 3, and 5 above, shall use diesel emissions testing equipment approved by the Department in accordance with N.J.A.C. 7:27B-4.6.
- (c) A person testing a diesel-powered motor vehicle in accordance with (a)1, 2, and 3 above shall perform one of the following:
 1. For an OBD-eligible vehicle, the OBD inspection at N.J.A.C. 7:27B-4.8; or

2. For a vehicle that is not OBD-eligible, the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3(a).
- (d) A person testing a diesel-powered motor vehicle in accordance with (a)1 through 4 above shall perform the following:
1. The visible smoke test at N.J.A.C. 7:27B-4.7(a);
 2. The indicator light check at N.J.A.C. 7:27B-4.7(b);
 3. The visual fuel leak test at N.J.A.C. 7:27B-4.7(c); and
 4. The emission control apparatus examination at N.J.A.C. 7:27B-4.4(a) and (b).
- (e) A person testing a light-duty diesel-powered motor vehicle in accordance with (a)5 above shall perform the following:
1. The visible smoke test at N.J.A.C. 7:27B-4.7(a);
 2. For an OBD-eligible light-duty diesel vehicle of model year 1997 or later, the OBD inspection at N.J.A.C. 7:27B-4.8; and
 3. The visual fuel leak test at N.J.A.C. 7:27B-4.7(c).
- (f) A person inspecting a diesel-powered motor vehicle as part of the one-time compliance inspection for a retrofit device required at N.J.A.C. 7:27-32.21 shall conduct an examination as described at N.J.A.C. 7:27B-4.4(c).
- (g) A person inspecting a diesel bus as part of the closed crankcase ventilation system compliance inspection required at N.J.A.C. 7:27-32.6 shall conduct an examination as described at N.J.A.C. 7:27B-4.4(d).
- (h) A motor vehicle that is not equipped with an OBD system is not OBD-eligible. A motor vehicle that is equipped with an OBD system is OBD-eligible, unless it meets one of the following criteria:
1. The motor vehicle has a DLC that is in a location not readily accessible during a typical inspection procedure, provided that the DLC is in its original configuration as supplied by the motor vehicle manufacturer and has not been obstructed, damaged, removed or modified;
 2. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, has difficulty setting or maintaining an adequate number of readiness monitors;

3. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, employs a communications protocol that is currently incompatible with approved diesel emissions testing equipment; or
 4. The motor vehicle is otherwise identified by the EPA or the Department as not technologically or functionally capable of OBD inspection.
- (i) The Department maintains a list of makes and model years of motor vehicles that it has determined to not be OBD-eligible, based on the criteria at (h) above. A copy of this list is available from the Department by contacting the Bureau of Mobile Sources at (609) 292-7953 and can also be viewed and downloaded from the Department's website at www.stopthesoot.org.

7:27-14.6 Motor vehicle standards

- (a) No diesel-powered motor vehicle shall be deemed to have passed an inspection unless it satisfies:
1. The general public highway standards at N.J.A.C. 7:27-14.4; and
 2. The applicable motor vehicle inspections at N.J.A.C. 7:27-14.5(b) through (i).
- (b) A heavy-duty diesel vehicle, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:
1. For model years 1990 and older, the level of peak smoke opacity shall not exceed 40 percent;
 2. For model years 1991 through 1996, the level of peak smoke opacity shall not exceed 30 percent; and
 3. For model years 1997 and newer, the level of peak smoke opacity shall not exceed 20 percent.
- (c) A diesel bus, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:
1. For model years 1987 and older, the level of peak smoke opacity shall not exceed 40 percent;
 2. For model years 1988 through 1993, the level of peak smoke opacity shall not exceed 30 percent; and

3. For model years 1994 and newer, the level of peak smoke opacity shall not exceed 20 percent.
- (d) A retrofitted diesel bus, tested using the snap acceleration smoke opacity test at N.J.A.C. 7:27B-4.3, shall not emit smoke in the exhaust emissions that exceeds the following opacity standards:
1. For model years 1993 and older, the level of peak smoke opacity shall not exceed 30 percent;
 2. For model years 1994 and newer, the level of peak smoke opacity shall not exceed 20 percent.
- (e) A motor vehicle or motor vehicle engine with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer, in a manner not in accordance with EPA Memorandum 1A or not exempt from prohibition by CARB Executive Order, will be deemed to have failed the motor vehicle inspection.
- (f) A diesel-powered motor vehicle required to have been retrofitted pursuant to N.J.A.C. 7:27-32 shall be deemed to have passed a one-time retrofit compliance inspection if a visual check confirms the installation and presence of the retrofit device.
- (g) A diesel bus required to have been equipped with a closed crankcase ventilation system pursuant to N.J.A.C. 7:27-32 shall be deemed to have passed a one-time compliance inspection if a visual check confirms the installation and presence of the closed crankcase ventilation system.
- (h) A diesel vehicle shall not emit visible smoke of any color in the exhaust emissions or in the crankcase emissions for a period in excess of three consecutive seconds when measured using the test procedure at N.J.A.C. 7:27B-4.7.
- (i) If, pursuant to the provisions of N.J.A.C. 7:27-14.5(c)1, a diesel vehicle is subject to an OBD inspection conducted in accordance with the inspection test procedure at N.J.A.C. 7:27B-4.8, it shall be considered to have passed said inspection, unless:
1. The DLC cannot be found or is damaged/obstructed in such a way as to not allow a connection between the analyzer and the motor vehicle;
 2. Communication cannot be established between the analyzer and the vehicle's OBD system;
 3. The MIL is not illuminating when commanded to light;

4. The number of systems that have non-continuous readiness monitors that are not ready for inspections equals or exceeds the following criteria: three "not ready" codes for motor vehicles model year 1997 through 2000 and two "not ready" codes for motor vehicles model year 2001 and newer;
5. Any continuous readiness monitor is not supported or not ready;
6. The MIL is illuminated while the vehicle's engine is running; or
7. DTCs have been detected by the OBD system to cause the MIL to be commanded on.

7:27-14.7 Licensed emissions inspectors

- (a) No person shall perform a diesel emission inspection under the periodic inspection program established pursuant to N.J.A.C. 13:20-26.17 unless the person is licensed by the Motor Vehicle Commission as a licensed emission inspector pursuant to N.J.A.C. 13:20-43.17.
- (b) No person shall perform a visual verification of compliance required by N.J.A.C. 7:27-32.6 or a one-time compliance inspection required by N.J.A.C. 7:27-32.21 unless the person is a licensed emission inspector and has successfully completed Department-approved training to perform such inspections.
- (c) A licensed emission inspector shall be responsible for the submission of diesel inspection information that includes, but is not limited to, the vehicle owner's contact information, vehicle and engine identification numbers, ambient weather conditions, engine test parameters, and emission inspection results.
- (d) A licensed emission inspector shall electronically submit to the State, as directed by the MVC, the diesel inspection information obtained pursuant to (c) above, within one business day after the inspection of the vehicle.

7:27-14.8 (Reserved)

7:27-14.9 (Reserved)

7:27-14.10 Penalties

Any person who violates the provisions of this subchapter may be subject to civil administrative penalties under the provisions of N.J.A.C. 7:27A-3.10(m)14.

7:27-14.11 Non-interference with the motor vehicle codes

Nothing in this subchapter is intended to limit or deny any existing authority to inspect diesel-powered motor vehicles in accordance with regulations established pursuant to N.J.S.A. 26:2C-8.44, 39:8-2, 39:3-70, 39:3-76, 39:10-26 and 48:4-2.1a.

APPENDIX

The following table highlights the provisions of N.J.A.C. 7:27-14.5 to show generally the emissions tests to be administered to each category of vehicle inspected or reinspected:

Weight Class (GVWR)	Model Year	Smoke Opacity Test	Indicator Light Check	OBD Test	Visible Smoke Test	Fuel Leak Test
<= 8,500 lbs.	1997 and newer	N/A	N/A	All OBD-eligible	All	All
>= 8,501 and <= 10,000 lbs.	All	N/A	N/A	All OBD-eligible	All	All
>= 10,001 and <= 14,000 lbs.	All	N/A	N/A	All OBD-eligible	All	All
> 14,000 lbs.	All	All	DPF check: 2007 and newer SCR check: 2010 and newer	All OBD-eligible	All	All