

ASSEMBLY, No. 1618

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 29, 1996

By Assemblyman ROMA

1 AN ACT concerning the inspection and registration of motor vehicles
2 and supplementing Title 39 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. As used in this act:

8 "Commissioner" means the Commissioner of Environmental
9 Protection.

10 "Enhanced inspection and maintenance program" means an
11 emissions inspection program for motor vehicles that may affect the
12 registration or certification of motor vehicles for legal operation in a
13 state, that complies with federal requirements for the inspection and
14 registration of motor vehicles established by the federal "Clean Air Act
15 Amendments of 1990," 42 U.S.C.A. §7403 et seq., the federal rules
16 and regulations adopted pursuant thereto, and that is approved by the
17 United States Environmental Protection Agency for implementation in
18 states required by federal law to implement an enhanced program to
19 reduce pollution from in-use motor vehicles in part of the state or
20 statewide.

21 "Ozone Transport Region" means the ozone transport region
22 established pursuant to 42 U.S.C. §7511c (a), comprising the states of
23 Connecticut, Delaware, Maine, Maryland, Massachusetts, New
24 Hampshire, New Jersey, New York, Pennsylvania, Rhode Island,
25 Vermont, Virginia, and the District of Columbia, which together form
26 the membership of the Ozone Transport Commission for the
27 northeastern and mid-Atlantic states established pursuant to 42
28 U.S.C. §7506a.

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30 2. a. Notwithstanding the provisions of P.L.1995, c.112
31 (C.39:8-41 et seq.), or any other law, or any rule or regulation
32 adopted pursuant thereto, to the contrary, no State agency,
33 department or division thereof shall develop, implement or enforce any
34 aspect of an inspection or registration program for motor vehicles
35 established pursuant to P.L.1995, c. 112, or implement or enforce any
36 provision of any regulation adopted pursuant thereto, until the
37 Commissioner of Environmental Protection has certified, pursuant to

1 subsection b. of this section, that nine of the 12 states in the Ozone
2 Transport Region and the District of Columbia have fully implemented
3 and have placed in operation an enhanced inspection and maintenance
4 program in each of their respective states and the District of Columbia.

5 b. The Commissioner of Environmental Protection, within 60 days
6 of the effective date of this act and annually thereafter, shall certify
7 which of the states in the Ozone Transport Region and the District of
8 Columbia have adopted and implemented the necessary laws and
9 regulations, and have placed in operation an enhanced inspection and
10 maintenance program. The commissioner shall also monitor the
11 progress of the programs in the states in the Ozone Transport Region
12 and the District of Columbia and shall notify in writing to the
13 Governor and the Legislature if any state or the District of Columbia
14 implements, suspends, delays or terminates an enhanced inspection and
15 maintenance program in that state or the District of Columbia.

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17 3. This act shall take effect immediately.

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20 STATEMENT

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22 This bill delays the development, implementation or enforcement of
23 the inspection or registration program for motor vehicles established
24 pursuant to the "Federal Clean Air Mandate Compliance Act,"
25 P.L.1995, c.112 (C.39:8-41 et seq.) until the Commissioner of
26 Environmental Protection has certified that nine of the 12 states in the
27 Ozone Transport Region and the District of Columbia have fully
28 implemented and placed in operation an enhanced inspection and
29 maintenance program in each of their respective states and the District
30 of Columbia. The states in the Ozone Transport Region are
31 Connecticut, Delaware, Maine, Maryland, Massachusetts, New
32 Hampshire, New Jersey, New York, Pennsylvania, Rhode Island,
33 Vermont, and Virginia.

34 The bill also requires the Commissioner of Environmental
35 Protection, within 60 days of enactment and annually thereafter, to
36 certify which states and the District of Columbia have implemented
37 and placed in operation enhanced inspection and maintenance
38 programs. The commissioner is also required to monitor the progress
39 of the programs and notify the Governor and the Legislature in writing
40 if any state or the District of Columbia implements, suspends, delays
41 or terminates an enhanced inspection and maintenance program.

42 The bill defines an "enhanced inspection and maintenance program"
43 as an emissions inspection program for motor vehicles that may affect
44 the registration or certification of motor vehicles for legal operation
45 in a state, that complies with federal requirements for the inspection
46 and registration of motor vehicles established by the federal "Clean Air

1 Act Amendments of 1990," 42 U.S.C.A. §7403 et seq., the federal
2 rules and regulations adopted pursuant thereto, and that is approved
3 by the United States Environmental Protection Agency for
4 implementation in states required by federal law to implement the
5 enhanced program to reduce pollution from in-use motor vehicles in
6 part of the state or statewide.

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11 Delays implementation of inspection and registration program
12 established by P.L.1995, c.112 until states in Ozone Transport Region
13 and District of Columbia implement enhanced inspection and
14 maintenance programs.

WITHDRAWN