

ASSEMBLY, No. 1625

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1996

By Assemblymen MALONE and COTTRELL

1 AN ACT concerning the inspection and registration of motor vehicles.

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

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6 1. a. For the purposes of this act, "the enhanced inspection and
7 maintenance program" means the program established pursuant to the
8 "Federal Clean Air Mandate Compliance Act," P.L. 1995, c.112, and
9 the regulations adopted pursuant thereto, concerning the emissions
10 inspection and registration procedures and requirements for motor
11 vehicles, that was established for the purposes of complying with
12 federal requirements established by the federal "Clean Air Act
13 Amendments of 1990," 42 U.S.C.A., §7403 et seq., the federal rules
14 and regulations adopted pursuant thereto, and the memorandums of
15 agreement between the United States Environmental Protection
16 Agency and the State concerning the implementation of those
17 requirements.

18 b. Notwithstanding the provisions of P.L.1995, c.112 (C.39:8-41
19 et seq.), or any other law, or any rule or regulation adopted pursuant
20 thereto, to the contrary, no State agency, department or division
21 thereof shall develop, implement or enforce any aspect of an inspection
22 or registration program for motor vehicles established pursuant to P.L.
23 1995, c.112, or implement or enforce any provision of any regulation
24 adopted pursuant thereto, until July 1, 1998. The State may
25 implement and enforce the inspection and registration program for
26 motor vehicles that was in effect and operation on June 1, 1995.

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28 2. a. There is established within the Department of State the
29 "Enhanced Motor Vehicle Inspection and Maintenance Program
30 Review Task Force." The task force shall consist of 11 members, to
31 be appointed as follows: three members of the Senate, who shall be
32 appointed by the President of the Senate; three members of the
33 General Assembly, who shall be appointed by the Speaker of the
34 General Assembly; three members of the public with experience in the
35 maintenance and repair of motor vehicle emissions control systems,
36 one of whom shall be appointed by the Governor, one of whom shall
37 be appointed by the President of the Senate, and one of whom shall be

1 appointed by the Speaker of the General Assembly; and two members
2 of the executive branch of State government, who shall be chosen and
3 appointed by the Governor. All members of the task force shall serve
4 for the duration of the Legislative session during which they are
5 appointed. Vacancies in the membership shall be filled in the same
6 manner as the original appointment.

7 b. It shall be the duty of the task force to review and study the
8 provisions of the "Federal Clean Air Mandate Compliance Act,"
9 P.L.1995, c.112, the regulations adopted pursuant thereto, the State
10 submittals concerning the State implementation plan, and any
11 memorandums of agreement made between the State and the United
12 States Environmental Protection Agency, and to assess the economic
13 impact thereof on motor vehicles five years and older.

14 c. The members of the task force shall be appointed within 90 days
15 of the effective date of this act. The task force shall organize and meet
16 as soon as is practicable after the appointment of its members, and
17 shall elect a chairman and a vice chairman from among its public
18 members. The chairman shall appoint a secretary who need not be a
19 member of the task force.

20 d. The task force shall be entitled to call to its assistance and avail
21 itself of the services of employees of any State, county or municipal
22 department, board, bureau, commission, task force or agency as it may
23 require and as may be available to it for its purposes. The task force
24 shall further be entitled to employ counsel and stenographic and
25 clerical assistants and to incur traveling and other miscellaneous
26 expenses as it may deem necessary in order to perform its duties, and
27 as may be within the limits of funds appropriated or otherwise made
28 available to it for its purposes.

29 e. The task force shall conclude its review, study and assessment,
30 and shall report its findings and recommendations in writing to the
31 Governor and Legislature no later than December 1, 1997.

32 f. The task force shall disband on January 1, 1998.

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34 3. This act shall take effect immediately.

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STATEMENT

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39 This bill delays until July 1, 1998 the development, implementation
40 or enforcement of any aspect of an inspection or registration program
41 for motor vehicles established pursuant to the "Federal Clean Air
42 Mandate Compliance Act," P.L.1995, c.112 (C.39:8-41 et seq.), or the
43 implementation or enforcement of any provision of any regulation
44 adopted pursuant thereto. The bill also establishes the "Enhanced
45 Motor Vehicle Inspection and Maintenance Program Review Task
46 Force," an 11-member task force to study, review and assess the

1 economic impact of the program established pursuant to P.L.1995,
2 c.112 on motor vehicles five years and older. The task force consists
3 of three members of the Senate appointed by the President of the
4 Senate; three members of the General Assembly appointed by the
5 Speaker of the General Assembly; three members of the public with
6 experience in the repair and maintenance of motor vehicle emissions
7 control systems, one of whom shall be appointed by the President of
8 the Senate, one of whom shall be appointed by the Speaker of the
9 General Assembly, and one of whom shall be appointed by the
10 Governor; and two members of the executive branch to be chosen and
11 appointed by the Governor. The task force is required to report its
12 findings and recommendations in writing to the Governor and the
13 Legislature no later than December 1, 1997. The bill also provides the
14 State may implement and enforce the inspection and registration
15 program for motor vehicles that was in effect and operation on June
16 1, 1995 until July 1, 1998.

17 It is the sponsor's intent that the Governor and the Legislature
18 receive the findings and recommendations of the task force before the
19 close of the 1996-97 Legislative Session and take any actions
20 necessary to improve or change the program established by the
21 "Federal Clean Air Mandate Compliance Act" before the start of the
22 following fiscal year July 1, 1998.

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27 Delays changes to inspection and registration program for motor
28 vehicles until July 1, 1998; establishes task force to assess economic
29 impact of program required by P.L.1995, c.112 on motor vehicles five
30 years and older.