

SENATE, No. 1352

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Senators McNAMARA and CIESLA

1 AN ACT concerning the retirement of motor vehicles and
2 supplementing P.L.1993, c.69.

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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. a. The comprehensive plan (hereinafter referred to as the
8 "plan") to provide incentives for the retirement of motor vehicles
9 prepared and adopted by the Department of Environmental Protection
10 pursuant to section 8 of P.L.1993, c.69 (C.26:2C-8.12), or any other
11 law or rule or regulation adopted pursuant thereto, shall include the
12 provisions set forth in this section.

13 b. Any motor vehicle scrappage program that may be implemented
14 in the State shall be implemented pursuant to the provisions of the
15 plan.

16 c. The plan shall provide that no motor vehicle scrappage program
17 implemented in the State shall require any individual to participate in
18 the motor vehicle scrappage program or require the mandatory or
19 involuntary scrappage of any vehicle.

20 d. The plan shall include a Highly Desirable Vehicle list of makes,
21 models and model years of motor vehicles, which because of their
22 rarity, historical importance, or special interest, shall be ineligible for
23 a motor vehicle scrappage program, and a Salvagable Vehicle list of
24 makes, models and model years of motor vehicles determined to be a
25 valuable source of automotive parts. The department shall develop the
26 Highly Desirable Vehicle List and the Salvagable Vehicle List in
27 consultation with the Classic and Collectible Car Advisory Group.
28 The advisory group shall consist of nine members as follows: The
29 Commissioner of Environmental Protection, or his designee; the
30 Commissioner of Transportation, or his designee; the Director of the
31 Division of Motor Vehicles in the Department of Transportation, or
32 his designee; and six public members who are members of classic and
33 collectible automobile groups or associations. Of the public members,
34 two shall be appointed by the Governor; two shall be appointed by
35 the President of the Senate, one of whom upon recommendation of the
36 Minority leader thereof; and two shall be appointed by the Speaker of
37 the General Assembly, one of whom upon recommendation of the

1 Minority leader thereof. The department shall include the lists in the
2 plan after holding at least one public hearing, with adequate public
3 notice, to solicit public comment on the lists in proposed form.

4 e. The plan shall provide that no motor vehicle on the Highly
5 Desirable Vehicle list established pursuant to subsection d. of this
6 section shall be accepted for scrappage under a motor vehicle
7 scrappage program implemented pursuant to the plan.

8 f. The plan shall provide that any person providing motor vehicle
9 scrapping services pursuant to a motor vehicle scrappage plan shall
10 make available storage space to hold at least five percent of all motor
11 vehicles scrapped during a 30-day period. Any motor vehicle on the
12 Salvagable Vehicle list established pursuant to subsection d. of this
13 section shall be held in the storage space for at least 30 days
14 subsequent to acceptance for scrappage. During that time, the motor
15 vehicle may not be sold as a rolling chassis, but any part of the motor
16 vehicle, except for the intact engine and intact exhaust system, shall be
17 available for sale. Individual components of the engine and the
18 exhaust system may be sold as automotive parts. Those motor
19 vehicles on the Salvagable Vehicle list for which storage space is
20 available may be scrapped after the 30-day period.

21 g. The plan shall provide that any motor vehicle scrappage program
22 may include an option that allows emission credits to be earned for a
23 stationary source in exchange for the performance of repairs upon any
24 motor vehicle that fails the enhanced inspection and maintenance test
25 performed by the Division of Motor Vehicles in the Department of
26 Transportation and requires repairs valued at \$450 or more in order to
27 pass the enhanced inspection and maintenance test.

28 h. In the event the department adopts the plan prior to the effective
29 date of this section, the department shall, as necessary, amend the plan
30 to incorporate the provisions required to be in the plan pursuant to this
31 section.

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would supplement the existing statutory law concerning
39 motor vehicle scrappage programs in order to prevent certain vintage
40 vehicles from being destroyed and to ensure that parts for these
41 vehicles are not destroyed before there is an opportunity to salvage
42 those parts.

43 Section 8 of P.L.1993, c.69 (C.26:2C-8.13) requires that, by March
44 10, 1994, the Department of Environmental Protection prepare and
45 adopt a comprehensive plan to provide incentives for the retirement
46 from use in the State of older, inefficient motor vehicles that pollute

1 the environment at higher rates. The department released the plan in
2 March 1994. This bill establishes certain requirements for the
3 comprehensive plan and requires that any motor vehicle scrappage
4 program that may be implemented in the State shall be implemented
5 pursuant to the provisions of the plan. Under the bill, the department
6 is required to amend the previously adopted plan to incorporate the
7 bill's provisions.

8 The bill requires that the plan provide that any motor vehicle
9 scrappage program be strictly voluntary and that the Department of
10 Environmental Protection establish, in consultation with the
11 nine-member "Classic and Collectible Car Advisory Group" created in
12 the bill, a Highly Desirable Vehicle List, which would be a list of
13 vehicles ineligible for any motor vehicle scrappage program, and a
14 Salvagable Vehicle List, which would be a list of vehicles determined
15 to be valuable sources of automobile parts. At least one public hearing
16 would held on the proposed lists prior to establishing the lists.

17 The bill also requires that the plan shall provide that any person
18 providing motor vehicle scrapping services pursuant to a motor vehicle
19 scrappage plan must make available storage space to hold at least five
20 percent of all motor vehicles scrapped during a 30-day period. Any
21 motor vehicle on the Salvagable Vehicle List must be held in the
22 storage space for at least 30 days subsequent to acceptance for
23 scrappage. During that time, the motor vehicle could not be sold as
24 a rolling chassis, but any part of the motor vehicle, except for the
25 intact engine and intact exhaust system, would be available for sale.
26 Individual components of the engine and the exhaust system could be
27 sold as automotive parts. Those motor vehicles on the Salvagable
28 Vehicle List for which storage space is available could be scrapped
29 after the 30-day period.

30 Finally, the bill provides that the plan shall provide that any motor
31 vehicle scrappage program may include an option that allows emission
32 credits to be earned for a stationary source of air emissions in
33 exchange for the performance of repairs upon any motor vehicle that
34 fails the enhanced inspection and maintenance test performed by the
35 Division of Motor Vehicles in the Department of Transportation and
36 requires repairs valued at \$450 or more in order to pass the enhanced
37 inspection and maintenance test.

38 It is the sponsor's desire and intent that the "Classic and Collectible
39 Car Advisory Group" created in the bill comply with the requirements
40 of the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.)
41 whenever it conducts its business.

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45 Establishes certain protections for collectible cars and parts under
46 vehicle scrappage program.