

SENATE, No. 1725

STATE OF NEW JERSEY

INTRODUCED DECEMBER 16, 1996

By Senator SINAGRA

1 AN ACT concerning the creation of commercial motor vehicle
2 inspection programs in municipal and county police departments,
3 supplementing chapter 8 of Title 39 of the Revised Statutes.

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

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8 1. As used in this act:

9 "Commercial motor vehicle" means a commercial motor vehicle as
10 defined in R.S.39:1-1 which is registered at a gross weight in excess
11 of 6,000 pounds.

12 "CVSA" means the Commercial Vehicle Safety Alliance, a
13 non-profit association representing state and provincial officials
14 responsible for the administration and enforcement of motor carrier
15 safety laws.

16 "Police department" means the police department or force of a
17 county or municipality.

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19 2. a. A police department may establish a special commercial
20 motor vehicle inspection program as hereinafter provided, subject to
21 approval by the Director of the Division of Motor Vehicles. The
22 purpose of this program shall be to exercise the safety inspection
23 authority granted to police departments under this act, except that
24 such inspection shall not include those under the "Hazardous Materials
25 Transportation Act," Pub.L. 93-633 (49 U.S.C. §1801 et seq.).

26 b. A police department which has been approved by the Director
27 of the Division of Motor Vehicles to conduct commercial motor
28 vehicle inspections may organize enforcement teams which shall
29 operate at preselected sites known by the municipality to have a high
30 incidence of moving traffic violations and commercial motor vehicle
31 accidents. These enforcement teams shall operate at such times as the
32 chief law enforcement officer of the municipality or county, whichever
33 is appropriate, shall designate. The police department may coordinate
34 this enforcement effort in conjunction with the State Police for the
35 purposes of weight inspections.

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37 3. a. A police officer who conducts commercial motor vehicle

1 inspections under this act shall have successfully completed a training
2 program which is approved by the United States Department of
3 Transportation Federal Highway Administration for the purposes of
4 conducting CVSA inspections.

5 b. A police officer who has met the training requirement of
6 subsection a. of this section may inspect commercial motor vehicles
7 pursuant to this act and enforce all applicable State laws and the
8 Federal Motor Carrier Safety Regulations, 49 CFR §§390-396.

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10 4. An approved CVSA inspection sticker shall be applied to a
11 commercial motor vehicle which satisfies the requirements of an
12 inspection conducted pursuant to this act.

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14 5. The Director of the Division of Motor Vehicles, in consultation
15 with the Superintendent of the Division of State Police, shall establish
16 rules and regulations, pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the
18 inspection programs authorized by this act.

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20 6. This act shall take effect immediately.

21 22 23 STATEMENT

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25 This bill enables municipal and county police departments to
26 establish roadside safety inspection enforcement programs for
27 commercial motor vehicles with gross weights exceeding 6,000
28 pounds, subject to approval by the Director of the Division of Motor
29 Vehicles. These programs are intended to curtail commercial motor
30 vehicle accidents through the use of organized enforcement teams
31 stationed in municipalities that have a high incidence of motor vehicle
32 violations and commercial motor vehicle accidents.

33 The commercial motor vehicle inspection programs will
34 complement a statewide inspection effort being conducted by the State
35 Police to crack down on large unsafe trucks. This bill requires that a
36 police officer who conducts commercial motor vehicle inspections
37 successfully complete a training program approved by the United
38 States Department of Transportation Federal Highway Administration
39 for the purposes of conducting Commercial Vehicle Safety Alliance
40 (CVSA) inspections which specifically address 14 items found to be
41 critical for commercial motor vehicle safety. The CVSA, a non-profit
42 association representing state and provincial officials responsible for
43 the administration and enforcement of motor carrier safety laws, is
44 recognized throughout the United States, Canada and Mexico.

45 The inspectors will be required to place safety inspection stickers
46 of the CVSA upon vehicles which pass the inspections. Use of the

1 stickers will avoid duplication and unnecessary delays from
2 commercial motor vehicles being stopped and inspected within the
3 sticker's 90-day life.

4 This bill prohibits municipal and county police departments
5 conducting inspections authorized under the bill from conducting
6 inspections authorized under the Hazardous Materials Transportation
7 Act. The Division of State Police, in conjunction with the Department
8 of Transportation and the Department of Environmental Protection
9 and Energy, is the only agency trained and authorized to conduct this
10 type of inspection.

11 The bill requires the Director of the Division of Motor Vehicles, in
12 consultation with the Superintendent of the Division of State Police,
13 to establish rules and regulations regarding the municipal and county
14 commercial motor vehicle inspection programs.

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19 Permits trained local police to inspect certain commercial motor
20 vehicles.