



New Jersey Department of Environmental Protection

NOTICE OF PUBLIC HEARING AND AVAILABILITY:

PROPOSED AMENDMENTS TO NEW JERSEY'S ENHANCED INSPECTION AND MAINTENANCE (I/M) PROGRAM RULES/ PROPOSED REVISIONS TO THE STATE IMPLEMENTATION PLAN (SIP)

The New Jersey Division of Motor Vehicles (DMV) recently filed a proposal to amend its enhanced I/M rules. This proposal, which will appear in the June 4, 2001 New Jersey Register, is now available for inspection, as is New Jersey's proposed revision to the State Implementation Plan (SIP) which reflects the proposed amendments.

There will be a **public hearing** on the emission-related provisions of the DMV's proposal and the proposed SIP revision on **July 9, 2001 at 1:30 p.m.** at the DEP's Hearing Room, 1st Floor, 401 E. State Street, Trenton, New Jersey. This hearing is being held in accordance with the provisions of Section 110 (a)(2) of the Clean Air Act, 42 U.S.C. § 7410; and the Administrative Procedure Act, N.J.S.A. 52:14B. Written comments relevant to the proposal and the proposed SIP revision may be submitted until close of business **July 13, 2001**, as indicated in the proposal.

Background:

In accordance with the requirements of the Clean Air Act (CAA), the State of New Jersey implemented an enhanced inspection and maintenance (I/M) program on December 13, 1999.

The implementation of this program was an integral part of New Jersey's plan to attain and maintain compliance with the health-based National Ambient Air Quality Standards (NAAQS) for ozone and for carbon monoxide (CO). Reducing the emissions of these pollutants and their precursors will help the State in its efforts to improve its air quality and protect the health and welfare of its citizens.

Enhanced I/M SIP Revision:

New Jersey is proposing to revise its enhanced I/M SIP to include the changes proposed by the DMV, as described below.

The DMV's proposal:

The DMV is proposing new rules and amendments to its existing regulations pertaining to the enhanced I/M program established in New Jersey in accordance with the Federal Clean Air Mandate Compliance Act (P.L. 1995, c. 112) and the Federal Clean Air Act Amendments of 1990 (42 U.S.C. §7401 et seq.). The primary emission-related changes to its rules would:

- allow the purchaser of a new motor vehicle from an out-of-state dealership to obtain a temporary authorization certificate so that the vehicle could be presented at the exit end of an Official Inspection Facility where it would be issued a new motor vehicle inspection decal without having to go through an enhanced I/M inspection;
- permit a motor vehicle leasing company that takes delivery of a new motor vehicle from a franchised New Jersey-licensed new motor vehicle dealer to issue an inspection decal to a vehicle after inspecting its safety and emission control devices to ensure that it conforms to the specifications established by the manufacturer and contained in the pre-delivery checklist in the same way an in-state new motor vehicle dealer does;
- exempt gasoline-fueled school buses from the inspection requirements of the enhanced I/M program since they will be subject to an equivalently stringent inspection by the DMV's School Bus Inspection Unit;
- allow a motor vehicle that passes an on-road inspection within the two-month period prior to its regularly scheduled biennial inspection to substitute this passing result for the biennial inspection, so long as the vehicle was subjected to the same emissions tests to which it would have been subjected as part of the biennial inspection process. The vehicle need only be presented at the exit of an Official Inspection Facility to obtain the biennial inspection decal;
- exempt from dynamometer testing any motor vehicle where, in the determination of the DMV Director, modification of its chassis height makes its operation on a dynamometer either impractical or hazardous. In such case the vehicle would be subjected to a 2,500 RPM emissions test;
- establish a set time frame of 45 days as the time within which a vehicle must be presented for reinspection if it is to be tested only for the items for which it had initially failed inspection; a full reinspection will be required if the vehicle does not meet that time frame. The current time frame, when there are no obvious safety or emission-related defects, ranges from 30 to up to 61 days, depending upon when the initial inspection was conducted; and
- modify the amount of the minimum repair cost that must be expended for the issuance of a cost waiver from \$200 to \$450 effective January 1, 2002, without a Consumer Price Index (CPI) adjustment to the \$450 amount.

A more detailed description of the new rules and amendments proposed by the DMV is available in the DMV's proposal and the proposed SIP revision.

The following are options for obtaining a copy of the enhanced I/M proposal:

1. Visit the DEP's website at: www.state.nj.us/dep/aqm, where Air Quality Management rules, proposals, adoptions and SIP revisions are available. The DMV's enhanced I/M program proposal and the proposed SIP revision are at <http://www.state.nj.us/dep/baqp/sip/siprevs.htm>
2. Look for the proposal in the June 4, 2001 issue of the New Jersey Register.
3. Go and inspect the proposals during normal office hours at any of these locations:

DEP
Public Information Center, 1st Floor
401 E. State Street
Trenton, New Jersey 08625

DEP Bureau of Enforcement
Northern Region
1259 Route 46 East
Parsippany, N.J. 07054-4191

DEP Bureau of Enforcement
Central Region
Horizon Center, P.O. Box 407
Robbinsville, N.J. 08625-0407

DEP Bureau of Enforcement
Southern Region
2 Riverside Drive
Suite 201
Camden, N.J. 08103

DEP Bureau of Enforcement
Metropolitan Region
2 Babcock Place
West Orange, N.J. 07052-5504

Atlantic City Public Library
1 North Tennessee Avenue
Atlantic City, N.J. 08401

Trenton Public Library
120 Academy Street
Trenton, N.J. 08608

Penns Grove/ Carney's Point Public
Library Association
222 South Broad Street
Penns Grove, N.J. 08069

Newark Public Library
5 Washington Street
P.O. Box 630
Newark, N.J. 07102-0630

New Brunswick Free Public Library
60 Livingston Avenue
New Brunswick, N.J. 08901

Burlington County Library
3 Pioneer Blvd. and Woodlane Rd.
Mt. Holly, N.J. 08060

Ellen Calhoun
Library of Science and Medicine, Rutgers University
P.O. Box 1029
Piscataway, N.J. 08855-1029

Joint Free Public Library
Morristown & Morris County
1 Miller Road
Morristown, N.J. 07960

Freehold Public Library
28½ East Main Street
Freehold, N.J. 07728

Burlington City Library
23 West Union Street
Burlington, N.J. 08016

Camden Free Public Library
418 Fredericks Street
Camden, N.J. 08103

Perth Amboy Public Library
193 Jefferson Street
Perth Amboy, N.J. 08861

Somerville Public Library
35 W. End Avenue
Somerville, N.J. 08876

Toms River Public Library
101 Washington Street
Toms River, N.J. 08753-7625

4. Request a copy of the proposed SIP revision by calling Willa Williams at (609) 292-7953, by e-mailing her at wwilliam@dep.state.nj.us, or by mailing or faxing the attached form to her as indicated on the form.

5. Request a copy of the DMV's proposal by calling Judy Mitchell at (609)984-7577, by e-mailing her at judy.mitchell@dot.state.nj.us, or by mailing or faxing the attached form to her as indicated on the form.

IF YOU HAVE QUESTIONS: For additional help in getting access to New Jersey's SIPs or for information about what they mean, call the DEP Bureau of Air Quality Planning at (609) 292-6722. For additional help in getting access to the DMV's rules or for information about what they mean, call the DMV Legal Staff at (609)984-7577.

MAIL OR FAX THIS RULE PROPOSAL REQUEST FORM TO:

For the Proposed SIP Revision:

DEP
Air Quality Planning
401 E. State Street
P.O. Box 418
Trenton, N.J. 08625-0418
fax: (609) 633-6198
Attention: Willa Williams

For the DMV Proposal:

Albert B. Ari, Acting Director
Division of Motor Vehicles
225 East State Street
P.O. Box 162
Trenton, N.J. 08666-0162
fax: (609) 777-2178
Attention: Legal Staff

- ☐ Please send me a copy of **New Jersey's Proposed SIP Revision**.
- ☐ Please send me a copy of the **DMV's Enhanced I/M Proposal**. (June 4, 2001 New Jersey Register)

Name: _____

Organization: _____

Address: _____

Telephone: _____

Please let us know if you are no longer interested in being on the DEP's mailing list for air quality rulemaking by checking here: ☐

Please let us know if you would like to be on our electronic list server by entering your e-mail address here: