NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

NEW JERSEY ADMINISTRATIVE CODE

TITLE 7

CHAPTER 27

SUBCHAPTER 28A

**MODEL YEAR 2027 OR LATER HEAVY-DUTY NEW ENGINE AND VEHICLE STANDARDS AND REQUIREMENTS**

Statutory Authority: N.J.S.A. 13:1B-3(e), 13:1D-9, 26:2C-1 et seq., particularly 26:2C-8.1, 26:2C-8.15 et seq., and 39:8-2 and 61

For regulatory history and effective dates, see the New Jersey Administrative Code

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**SUBCHAPTER 28A.** **MODEL YEAR 2027 OR LATER HEAVY-DUTY NEW ENGINE AND VEHICLE STANDARDS AND REQUIREMENTS**

# **7:27-28A.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Bus company” means a private entity employing one or more buses for the transportation of passengers for hire.

“California Air Resources Board” or "CARB” means the agency or its successor agency established and empowered to regulate sources of air pollution in the State of California, including motor vehicles, pursuant to Section 39003, California Health & Safety Code, 1999, incorporated herein by reference, as amended or supplemented.

“CCR” means the California Code of Regulations.

 “Certification” or “certified” means a finding by CARB or the USEPA that a motor vehicle, motor vehicle engine, or air contaminant emission control system has satisfied the criteria for the control of specified air contaminants from motor vehicles, adopted by CARB or the USEPA, respectively, as set forth in their respective regulations.

“Department” means the New Jersey Department of Environmental Protection.

“Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.

“Lease” means any commercial transaction recognized under the laws of this State as a means of creating a right to use a good and includes renting. It also includes offering to rent or lease.

“Medium-duty passenger vehicle” means medium-duty passenger vehicle as defined at 13 CCR 1900.

“Model year” or “MY” means model year as defined at 40 CFR 85.1502(a)(8).

“New motor vehicle” means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser.

“New motor vehicle engine” means an engine in a new motor vehicle or a motor vehicle engine, the equitable or legal title to which has never been transferred to the ultimate purchaser.

“Person” means any individual or entity and shall include, without limitation, corporations, companies, associations, societies, firms, partnerships, and joint stock companies, and shall also include, without limitation, all political subdivisions of any states, and any agencies or instrumentalities thereof.

 “Sale” or “sell” means the transfer of equitable or legal title to a motor vehicle or motor vehicle engine to the ultimate or subsequent purchaser.

“Transit agency” shall have the same meaning as the term “transit agency” as defined at 13 CCR 2020(b), as incorporated by reference at N.J.A.C. 7:27-28A.11.

“Ultimate purchaser” means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases a new motor vehicle or new motor vehicle engine for purposes other than resale.

“Urban bus” shall have the same meaning as the term “urban bus” as defined at 13 CCR 1956.8, as incorporated by reference at N.J.A.C. 7:27-28A.11.

“Zero-emission vehicle” or “ZEV” shall have the same meaning as the term “zero-emission vehicle” as defined at 13 CCR § 1963(c).

# **7:27-28A.2 Purpose and scope**

(a) This subchapter establishes emission standards in New Jersey that are the same as the California emission standards for vehicles and engines of the same model years and gross vehicle weight rating for:

1. All model year 2027 or later new motor vehicles rated in excess of 8,500 pounds GVWR; and

2. All model year 2027 or later new motor vehicle engines intended for use in motor vehicles rated in excess of 8,500 pounds GVWR.

# **7:27-28A.3 Applicability**

 (a) Except as specifically provided herein, on or after January 1, 2027, this subchapter applies to:

1. All model year 2027 or later new motor vehicles rated in excess of 8,500 pounds GVWR; and

2. All model year 2027 or later new motor vehicle engines intended for use in motor vehicles rated in excess of 8,500 pounds GVWR.

(b) The specified engine and vehicle standards and requirements set forth in the provisions of the California Code of Regulations, as identified at N.J.A.C. 7:27-28A.11 shall not be operative in New Jersey, unless or until such time as California receives a waiver from the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7543, as published in the Federal Register, for the applicable engine standard, vehicle standard, or other emission requirement.

# **7:27-28A.4 Requirements for engine and vehicle transactions**

(a) No person who is a resident of this State, or who operates an established place of business within this State, shall sell, lease, import, deliver, purchase, acquire, register, receive, or otherwise transfer in this State, or offer for sale, lease, or rental in this State a model year 2027 or later, new motor vehicle rated in excess of 8,500 pounds GVWR or a model year 2027 or later, new motor vehicle engine intended for use in a motor vehicle rated in excess of 8,500 pounds GVWR, unless the California Air Resources Board has issued an executive order certifying the vehicle or engine and it meets all of the requirements of the California Code of Regulations identified at N.J.A.C. 7:27-28A.11 that apply to the model year and gross vehicle weight rating of the vehicle or engine in question.

(b) For the purposes of this subchapter, it is conclusively presumed that the equitable or legal title to any motor vehicle with an odometer reading of 7,500 miles or more has been transferred to an ultimate purchaser, and that the equitable or legal title to any motor vehicle with an odometer reading of less than 7,500 miles has not been transferred to an ultimate purchaser.

# **7:27-28A.5 Exemptions**

(a) Notwithstanding the provisions at N.J.A.C. 7:27-28A.3, the requirements set forth at N.J.A.C. 7:27-28A.4, 28A.7, 28A.8, and 28A.11 do not apply to:

1. A medium-duty passenger vehicle;

2. A zero emission vehicle rated in excess of 8,500 pounds GVWR;

3. A vehicle held for daily lease or rental to the general public or engaged in interstate commerce, that is registered and principally operated outside of New Jersey;

4. A vehicle transferred by inheritance;

5. A vehicle transferred by court decree;

6. A vehicle having a certificate of conformity issued pursuant to the Clean Air Act that was originally registered in another state by a resident of that state, who subsequently establishes residence in this State;

7. A vehicle sold or transferred directly from one dealer to another dealer;

8. A vehicle sold for the purpose of being wrecked or dismantled;

9. A vehicle sold exclusively for off-highway use;

10. An emergency vehicle, pursuant to California's Vehicle Code Sec. 27156.2 and -27156.3, as incorporated by reference at N.J.A.C. 7:27-28A.11; and

11. A military tactical vehicle, pursuant to 13 CCR 1905, as incorporated by reference at N.J.A.C. 7:27-28A.11.

# **7:27-28A.6 Prohibition against stockpiling**

No person shall purchase any new motor vehicle rated in excess of 8,500 pounds GVWR or any new motor vehicle engine intended for use in a motor vehicle rated in excess of 8,500 pounds GVWR, greater than normal business needs for the purpose of evading the requirements of this subchapter.

# **7:27-28A.7 Manufacturer compliance with California warranty**

Each manufacturer of a vehicle subject to N.J.A.C. 7:27-28A.3 shall warrant to the ultimate purchaser and each subsequent purchaser that the vehicle will comply during its period of warranty coverage with all applicable requirements set forth in the sections of the California Code of Regulations, as identified at N.J.A.C. 7:27-28A.11.

# **7:27-28A.8 Manufacturer compliance with California orders and voluntary recalls**

(a) Any order or enforcement action taken by the CARB to correct noncompliance with any section of Title 13 of the California Code of Regulations, which action results in the recall of any vehicle pursuant to any provision of the California Code of Regulations identified at N.J.A.C. 7:27-28A.11, shall be applicable in New Jersey, except where the manufacturer demonstrates to the Department's satisfaction within 30 days of issuance of the CARB action that the action is not applicable to vehicles subject to N.J.A.C. 7:27-28A.3.

(b) Any emission-related recall campaign, voluntary or otherwise, initiated by any manufacturer that results in the recall of any vehicle pursuant to any provision of the California Code of Regulations identified at N.J.A.C. 7:27-28A.11 shall be applicable in New Jersey, except where the manufacturer demonstrates to the Department's satisfaction within 30 days of the CARB approval of the campaign that the campaign is not applicable to vehicles subject to N.J.A.C. 7:27-28A.3.

# **7:27-28A.9 Recordkeeping**

(a) Any person who operates a place of business that sells, leases, or rents new MY 2027 or later motor vehicles rated in excess of 8,500 pounds GVWR or new model year 2027 or later motor vehicle engines intended for use in motor vehicles rated in excess of 8,500 pounds GVWR in this State shall maintain records of all the business’s sales, leases, rentals, imports, purchases, acquisitions, receipt of, or other transfers of new MY 2027 or later motor vehicles rated in excess of 8,500 pounds GVWR or new model year 2027 or later motor vehicle engines intended for use in motor vehicles rated in excess of 8,500 pounds GVWR for a period of no less than five years after the date of the transaction.

(b) Upon the request of the Department, the owner or operator of the place of business shall make the records specified at (a) above available for inspection at the place of business by any representative of the Department during normal business hours.

(c) Upon receipt of a written request from the Department, the owner or operator of the place of business shall timely submit a copy of the records specified at (a) above to the Department by mail or by other means as agreed to by the Department.

# **7:27-28A.10 Right to enter**

(a) The Department, or its representative, shall have the right to enter and inspect any site, building, equipment, or vehicle, or any portion thereof, at any time, in order to ascertain compliance or non-compliance with the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq., this subchapter, any exemption, or any order, consent order, agreement, or remedial action plan issued, approved, or entered into pursuant thereto. Such right shall include, but not be limited to, the right to test or sample any material, motor vehicle, or motor vehicle engine, or any emissions therefrom, at the facility; to sketch or photograph any portion of the site, building, vehicles, or motor vehicle engines; to copy or photograph any document or record necessary to determine such compliance or non-compliance; and to interview any employees or representatives of the owner, operator, or registrant. Such right shall be absolute and shall not be conditioned upon any action by the Department, except the presentation or appropriate credentials, as requested, and in compliance with appropriate standard safety procedures.

(b) Failure to comply with any of the obligations or requirements of this subchapter shall subject the violator to an enforcement action pursuant to the provisions at N.J.S.A. 26:2C-19 and N.J.A.C. 7:27A-3.

# **7:27-28A.11 Incorporation by reference**

(a) Unless specifically excluded by this subchapter, when a provision of the CCR or the California Vehicle Code is incorporated by reference, all notes, comments, appendices, diagrams, tables, forms, figures, publications, and cross-references are also incorporated by reference.

(b) Supplements, amendments, and any other changes including, without limitation, repeals or stays that affect the meaning or operational status of a California rule or Code incorporated by reference, brought about by either judicial, legislative**,** or administrative action and adopted or otherwise noticed by the State of California, shall be paralleled by a similar change to the New Jersey rule, so that the New Jersey rule will have the same meaning and status as its California counterpart. To satisfy the identicality requirement of the Clean Air Act, at 42 U.S.C. § 7507, all new California regulations or codesrelated to certification of model year 2027 or later new motor vehicles rated in excess of 8,500 pounds GVWR and model year 2027 or later new motor vehicle engines intended for use in motor vehicles rated in excess of 8,500 pounds GVWR are also incorporated into this subchapter by this automatic process.

(c) In the event that there are inconsistencies or duplications in the requirements of the provisions incorporated by reference from the CCR or the California Vehicle Code and the rules set forth in this subchapter, the provisions incorporated by reference from the CCR or the California Vehicle Codeshall prevail.

(d) Nothing in the provisions incorporated by reference from the CCR or the California Vehicle Codeshall affect the Department's authority to enforce statutes, rules, permits, or orders administered or issued by the Commissioner.

(e) On or after June 20, 2023 or the operative date of California’s regulations or Code, whichever is later), any new California rules, Codes, amendments, supplements, and other changes that are brought about through administrative or judicial action and automatically incorporated through the prospective incorporation by reference process shall be effective upon publication in the California Regulatory Notice Register and operative on the operative date cited by California in the relevant California Regulatory Notice Register notice, unless the Department publishes a notice of proposal repealing the adoption in New Jersey of the California regulation in whole or in part, and/or proposing to otherwise amend the affected New Jersey rules.

(f) The following provisions of the CCR and the California Vehicle Codeare incorporated by reference within this subchapter, except as provided at (f)1 through 7 below:

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| --- | --- |
| Table 1 | |
| Provisions Incorporated by Reference | |
| California Code of Regulations (CCR) | |
| Title 13 | |
| Chapter 1 | |
| Motor Vehicle Pollution Control Devices | |
| Article 1 | |
| General Provisions | |
| Section 1900 | Definitions |
| Section 1905 | Exclusion and Exemption for Military Tactical Vehicles and Equipment |
| Article 2 | |
| Approval of Motor Vehicle Pollution Control Devices (New Vehicles) | |
| Section 1956.8 | Exhaust Emission Standards and Test Procedures - 1985 and Subsequent Model Heavy-Duty Engines and Vehicles, 2021 and Subsequent Zero-Emission Powertrains, and 2022 and Subsequent Model Heavy-Duty Hybrid Powertrains |
| Section 1961.2 | Exhaust Emission Standards and Test Procedures - 2015 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles |
| Section 1965 | Emission Control and Smog Index Labels – 1979 and Subsequent Model Year Vehicles |
| Section 1968.2 | Malfunction and Diagnostic System Requirements – 2004 and Subsequent Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles |
| Section 1971.1 | On-Board Diagnostic System Requirements--2010 and Subsequent Model-Year Heavy-Duty Engines |
| Article 6 | |
| Emission Control System Warranty | |
| Section 2035 | Purpose, Applicability and Definitions |
| Section 2036 | Defects Warranty Requirements for 1979 Through 1989 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles; 1979 and Subsequent Model Motorcycles and Heavy-Duty Vehicles; and Motor Vehicle Engines Used in Such Vehicles; and 2020 and Subsequent Model Year Trailers |
| Section 2037 | Defects Warranty Requirements for 1990 and Subsequent Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles and Motor Vehicle Engines Used in Such Vehicles |
| Chapter 2 | |
| Enforcement of Vehicle Emission Standards and Enforcement Testing | |
| Article 1.5 | |
| Enforcement of Vehicle Emission Standards and Surveillance Testing for 2005 and Subsequent Model Year Heavy-Duty Engines and Vehicles | |
| Section 2065 | Applicability of Chapter 2 to 2005 and Subsequent Model Year Heavy Duty Engines and Vehicles. |
| Article 2.1 | |
| Procedures for In-Use Vehicle Voluntary and Influenced Recalls | |
| Section 2111 | Applicability |
| Section 2112 | Definitions |
| Appendix A to Article 2.1 | |
| Section 2113 | Initiation and Approval of Voluntary and Influenced Recalls |
| Section 2114 | Voluntary and Influenced Recall Plans |
| Section 2115 | Eligibility for Repair |
| Section 2116 | Repair Label |
| Section 2117 | Proof of Correction Certificate |
| Section 2118 | Notification |
| Section 2119 | Record keeping and Reporting Requirements |
| Section 2121 | Penalties |
| Article 2.2 | |
| Procedures for In-Use Vehicle Ordered Recalls | |
| Section 2123 | Initiation and Notification of Ordered Emission-Related Recalls |
| Section 2125 | Ordered Recall Plan |
| Section 2126 | Approval and Implementation of Recall Plan |
| Section 2127 | Notification of Owners |
| Section 2128 | Repair Label |
| Section 2129 | Proof of Correction Certificate |
| Section 2130 | Capture Rates and Alternative Measures |
| Section 2131 | Preliminary Tests |
| Section 2133 | Record keeping and Reporting Requirements |
| Article 2.3 | |
| In-Use Vehicle Enforcement Test Procedures | |
| Section 2137 | Vehicle Selection |
| Section 2139 | Testing |
| Section 2139.5 | CARB Authority to Test for Heavy-Duty In-Use Compliance |
| Section 2140 | Notification of In-Use Results |
| Article 2.4 | |
| Procedures for Reporting Failure of Emission-Related Components | |
| Section 2141 | General Provisions |
| Section 2142 | Alternative Procedures |
| Section 2143 | Failure Levels Triggering Recall |
| Section 2144 | Emission Warranty Information Report |
| Section 2145 | Field Information Report |
| Section 2146 | Emissions Information Report |
| Section 2147 | Demonstration of Compliance with Emission Standards |
| Section 2148 | Evaluation of Need for Recall |
| Section 2149 | Notification of Subsequent Action |
| Article 5 | |
| Procedures for Reporting Failures of Emission-Related Equipment and Required Corrective Action | |
| Section 2166 | General Provisions |
| Section 2166.1 | Definitions |
| Section 2167 | Required Recall and Corrective Action for Failures of Exhaust After-Treatment Devices, On-Board Computers or Systems, Urea Dosers, Hydrocarbon Injectors, Exhaust Gas Recirculation Valves, Exhaust Gas Recirculation Coolers, Turbochargers, Fuel Injectors |
| Section 2168 | Required Corrective Action and Recall for Emission-Related Component Failures |
| Section 2169 | Required Recall or Corrective Action Plan |
| Section 2169.1 | Approval and Implementation of Corrective Action Plan |
| Section 2169.2 | Notification of Owners |
| Section 2169.3 | Repair Label |
| Section 2169.4 | Proof of Correction Certificate |
| Section 2169.5 | Preliminary Tests |
| Section 2169.6 | Communication with Repair Personnel |
| Section 2169.7 | Recordkeeping and Reporting Requirements |
| Section 2169.8 | Extension of Time |
| Section 2170 | Penalties |
| Chapter 9 | |
| Article 4 | |
| Off-Road Compression-Ignition Engines and Equipment | |
| Section 2423(n) | Exhaust Emission Standards and Test Procedures - Off-Road Compression-Ignition Engines |
| Chapter 10 | |
| Article 1 | |
| Commercial Motor Vehicle Idling | |
| Sections 2485(c)(2), 2485(c)(3), and 2485(h) | Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling |
| Title 17 | |
| Division 3 | |
| Chapter 1 | |
| Subchapter 10 | |
| Article 4 | |
| Subarticle 12 | |
| Greenhouse Gas Emission Requirements for New 2014 and Subsequent Model Heavy-Duty Vehicles | |
| Section 95661 | Applicability |
| Section 95662 | Definitions |
| Section 95663 | Greenhouse Gas Exhaust Emission Standards and Test Procedures for New 2014 and Subsequent Model Heavy-Duty Vehicles |
|  | |
| Provisions Incorporated by Reference | |
| California Vehicle Code | |
| Division 12. Equipment Of Vehicles | |
| Chapter 5. Other Equipment | |
| Article 2. Exhaust Systems | |
| Section 27156.2 | |
| Section 27156.3 | |
|  |  |

1. At 13 CCR 1956.8(a)(2)(C)2b, replace “California” with “New Jersey”;

2. At 13 CCR 2035, replace “registered in California” with “registered in New Jersey”;

3. At 13 CCR 2036, replace “California statutorily authorized motor vehicle emissions inspection and maintenance program” with “New Jersey statutorily authorized motor vehicle emissions inspection and maintenance program”;

4. At 13 CCR 2485(c)(3)(A), replace “operate in California” with “operate in New Jersey”;

5. At 13 CCR 2485(c)(2)(D)1 and 2485(c)(2)(D)2, replace “location in California” with “location in New Jersey”;

6. At 13 CCR 2485(c)(3)(D), replace “operation of the APS in California” with “operation of the APS in New Jersey”;

7. At 13 CCR 1956.8(a)(2)(F), replace the text to read as follows:

“(F) Transit Agency Diesel-Fueled Bus and Engine Exemption Request

For 2027 and subsequent model diesel-fueled medium heavy-duty or heavy heavy-duty engines used in urban buses, the Department will approve a Transit Agency Diesel-Fueled Bus and Engine Exemption Request made by a transit agency or bus company that meets each of the conditions and requirements at subparagraphs 1 and 2 below. If granted, an exemption request will allow a transit agency or bus company to purchase, rent, or lease exempt buses, contract for service with bus service providers to operate exempt buses, or re-power buses with engines that are certified to both the federal emission standards for 2010 and later model year diesel-fueled medium heavy-duty or heavy heavy-duty engines and vehicles, as set forth at title 40, Code of Federal Regulations section 86.007-11, effective March 27, 2023, and the Greenhouse Gas Emissions and Fuel Economy Standards for Medium- and Heavy-Duty Engines and Vehicles – Phase 2 requirements promulgated at 81 FR 73,478.

1. Conditions

If an exemption request is filed for the purpose of making a purchase of a MY 2027 or subsequent MY diesel-fueled medium heavy-duty or heavy heavy-duty engine to be used in an urban bus, the transit agency’s or bus company’s exemption request shall demonstrate that there are no diesel-fueled medium heavy-duty or heavy heavy-duty engines used in urban buses certified to meet the Exhaust Emission Standards for 2027 and Subsequent Model Light Heavy-Duty Engines, and Medium Heavy-Duty Engines located at 13 CCR 1956.

2. Requirements and Procedures

a. The transit agency or bus company must submit its Transit Agency Diesel-Fueled Bus and Engine Exemption Request to the Department.

b. The Transit Agency Diesel-Fueled Bus and Engine Exemption Request must be submitted by May 1st of the first calendar year in which the exemption is requested.

c. The Transit Agency Diesel-Fueled Bus and Engine Exemption Request must identify the number of exempt buses needed for each bus type.

d. If the transit agency or bus companyrequests to apply the exemption request to an existing contract, the Transit Agency Diesel-Fueled Bus and Engine Exemption Request must include a copy of the contract.

e. The Transit Agency Diesel-Fueled Bus and Engine Exemption Request must identify the number of exempt buses or re-powered buses that the transit agency requests for each calendar year within the triennial period of the Transit Agency Diesel-Fueled Bus and Engine Exemption Request, where the year the request is submitted is counted as the first calendar year.

3. The Department will issue an Executive Exemption Approval Letter if all foregoing conditions and requirements at subparagraphs 1 and 2 above are met. The Executive Exemption Approval Letter will allow a triennial quota for the purchase, rent, lease, contract for service, or re-power of exempt buses or engines. The triennial quota expires at the end of the third calendar year of the triennial period.

4. If the Transit Agency Diesel-Fueled Bus and Engine Exemption Request is approved by the Department, the transit agency or bus companymay proceed with engine repower or exempt bus purchase, lease, rental, or contract for service. In the instance where new exempt engines and buses will be purchased or manufactured under the contract, the Executive Exemption Approval Letter will allow the bus and engine manufacturers to sell exempt engines to and manufacture exempt buses for the transit agency or bus companythat has obtained the exemption. The transit agency or bus companymust notify all parties involved of the approval and provide a copy of the issued Transit Agency Diesel-Fueled Bus and Engine Exemption Approval Letter to the engine and bus dealer(s), bus manufacturer(s), and engine manufacturer(s) involved with delivering the exempt buses or engines to the transit agency or bus company.

5. A transit agency or bus companymay request a hearing to review the Department’s denial of an Executive Exemption Approval Letter pursuant to the procedures set forth at N.J.A.C. 7:27-1.32”; and

8. At “CALIFORNIA EXHAUST EMISSION STANDARDS AND TEST PROCEDURES FOR 2004 AND SUBSEQUENT MODEL HEAVY-DUTY DIESEL ENGINES AND VEHICLES” incorporated by reference within 13 CCR 1956.8, replace the following terms:

i. At 86.1 15.B.3, in all subsections, replace “California” with “New Jersey,” except “California certified,” and replace “CA-ABT” with “NJ-ABT”;

ii. At 86.1 15.B.3.(e), replace “Manufacturers that do not begin enrollment in the CA-ABT program in 2022 model year may not transfer any federal-ABT credits into the CA-ABT program.” with “Manufacturers that do not begin enrollment in the NJ-ABT program in 2025 model year may not transfer any Federal-ABT credits into the NJ-ABT program.”;

iii. At 86.1 15.B.3.(k)(1), replace “Chief, Emissions Certification and Compliance Division, California Air Resources Board, 4001 Iowa Ave., Riverside, CA 92507.” with “NJ Department of Environmental Protection, Bureau of Mobile Sources, PO Box 420, Mail Code 401-02E, Trenton, NJ 08625.”; and

iv. At 86.1 15.B.3.(k)(3), replace “ARB” with “the Department.”

# **REGULATORY HISTORY**

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| --- | --- |
| **Effective or Operative Date** | **New Jersey Register** |
| New Rule, June 20, 2023 (operative date) | 55 N.J.R. 1005(a) |
| Amendment, December 31, 2023 (operative date) | 55 N.J.R. 2481(b) |