NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION NEW JERSEY ADMINISTRATIVE CODE

TITLE 7, CHAPTER 27 SUBCHAPTER 15

CONTROL AND PROHIBITION OF AIR POLLUTION FROM GASOLINE-FUELED MOTOR VEHICLES

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Please note: The Department has made every effort to ensure that this text is identical to the official, legally effective version of this rule, set forth in the New Jersey Register. However, should there be any discrepancies between this text and the official version of the rule, the official version will prevail.

35 N.J.R. 429(a)

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7:27-15.1 **Definitions**

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

"California Air Resources Board" or "CARB" means the agency of the State of California established and empowered to regulate sources of air contaminant emissions, including motor vehicles, pursuant to California Health & Safety Code, Sections 39500 et seq.

"Carbon monoxide" or "CO" means a gas having a molecular composition of one carbon atom and one oxygen atom.

"Certified configuration" means a vehicle-engine-chassis design for LDGVs and LDGTs or an engine design for HDGVs certified by either of the following agencies as meeting the applicable emission standards for motor vehicles manufactured in a given model year:

- 1. EPA for model year 1968 or for a more recent model year; or
- 2. CARB for model year 1966 or for a more recent model year.

"Clean Air Act" or "CAA" means the Federal Clean Air Act (42 U.S.C. 7401 et seq.) which consists of Public Law 159 (July 14, 1955; Stat. 322) and all subsequent amendments thereto.

"Commissioner" means the Commissioner of the Department of Environmental Protection.

"Crankcase emissions" means substances emitted into the atmosphere from any portion of the engine crankcase ventilation or lubrication system.

"Data link connector" or "DLC" means a standardized 16-pin diagnostic test receptacle used to connect an analyzer to a motor vehicle.

"Department" means the Department of Environmental Protection.

"Division of Motor Vehicles" or "DMV" means the Division of Motor Vehicles within the New Jersey Department of Transportation.

"Element of design" means any automotive part or system on a motor vehicle that is subject to the Federal emission standards at 40 CFR Part 86 or California emission standards at California Code of Regulations Title 13 which:

- 1. Is included in the motor vehicle's certified configuration; and
- 2. Could affect the emission of any regulated air contaminant from the motor vehicle.

"Emission control apparatus" means any device employed by the vehicle manufacturer which prevents or controls the emission of any air contaminant, including associated components which monitor the function and maintenance of these devices.

"EPA" means the United States Environmental Protection Agency.

"EPA Memorandum 1A" means the memorandum dated June 25, 1974, and issued by the EPA's Office of Enforcement and General Counsel, which sets forth the EPA's interim tampering enforcement policy. This term also includes any revisions to the policy set forth in the June 25, 1974 memorandum that are subsequently issued by the EPA. A copy of this EPA memorandum has been filed with the Office of Administrative Law and may be obtained from the Bureau of Transportation Control in the Department of Environmental Protection.

"Exhaust emissions" means substances emitted into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

"G/mi" means grams per mile.

"Gasoline-fueled" means powered by a hydrocarbon fuel other than diesel fuel, including, but not limited to, gasoline, natural gas, liquified petroleum gas, or propane, or powered by alcohol fuels, hydrocarbon-alcohol fuel blends or hydrogen.

"Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or combination vehicle.

"Heavy-duty gasoline-fueled vehicle" or "HDGV" means a gasoline-fueled motor vehicle that has a GVWR exceeding 8,500 pounds and is designed primarily for transporting persons or property.

"Hydrocarbons (HC)" means any compound or mixture of compounds whose molecules consist of atoms of hydrogen and carbon only.

"Idle" means an operating mode where the vehicle engine is not engaged in gear and where the engine operates at a speed at the revolutions per minute specified by the engine or vehicle manufacturer. "Light-duty gasoline-fueled truck" or "LDGT" means a gasoline-fueled motor vehicle that has a GVWR of 8,500 pounds or less, a vehicle curb weight of 6,000 pounds or less, and a basic frontal area of 45 square feet or less, and that:

- 1. Is designed primarily for the transportation of property or more than 12 passengers; or
- 2. Is available with special features enabling off-street or off-highway operation and use.

"Light-duty gasoline-fueled truck 1" or "LDGT1" means a light-duty gasoline-fueled truck with a GVWR of 6,000 pounds or less.

"Light-duty gasoline-fueled truck 2" or "LDGT2" means a light-duty gasoline-fueled truck with a GVWR of more than 6,000 pounds.

"Light-duty gasoline-fueled vehicle" or "LDGV" means a gasoline-fueled motor vehicle that has a GVWR of 8,500 pounds or less, is designed primarily for use as a passenger car or is a passenger car derivative and is capable of seating no more than 12 passengers.

"Loaded vehicle weight" or "LVW" means the vehicle curb weight plus 300 pounds.

"Low mileage vehicle" means a motor vehicle that is driven less than 10,000 miles during a biennial inspection period.

"Model year" means the manufacturer's annual production period (as determined under 40 CFR section 85.2304 (60 Fed. Reg. 4738, Jan. 24, 1995), as the same is amended or supplemented) which includes January 1 of such calendar year, provided, that if the manufacturer has no annual production period, this term shall mean the calendar year. A specific model year shall include January 1 of the calendar year for which it is designated and shall not include a January 1 of any other calendar year. Thus, the maximum duration of a model year is one calendar year plus 364 days (or 365 days if a leap year).

"Motor vehicle" means all vehicles propelled otherwise than by muscular power, excepting motorized bicycles and such vehicles as run only upon rails or tracks.

"Motor vehicle testing equipment" means equipment used to conduct a test of a gasoline-fueled motor vehicle set forth at N.J.A.C. 7:27B-5, and which satisfies all applicable specifications set forth at N.J.A.C. 7:27B-5.9, Specifications for motor vehicle testing equipment for use in the New Jersey Enhanced Inspection and Maintenance Program. For motor vehicle inspections conducted pursuant to N.J.A.C. 7:27B-5 and this subchapter, this term shall include all devices used for performing a motor vehicle

inspection, including, but not limited to, exhaust gas analyzers, dynamometers, on-board diagnostic scanners and analyzers, fuel cap leak testers, and computers and related software.

"Motorized bicycle" means a pedal bicycle which is capable of a maximum speed of no more than 25 miles per hour on a flat surface and which has a helper motor which;

- 1. Has a maximum piston displacement that is less than 50 cubic centimeters; or
- 2. Is rated at no more than 1.5 brake horsepower.

"New motor vehicle" means a newly-manufactured motor vehicle, prior to its delivery to the ultimate purchaser.

"New motor vehicle dealer" means any person licensed pursuant to N.J.S.A. 39:10-19 to sell new motor vehicles.

"OBD-eligible" means capable of receiving an OBD inspection as determined by the Department in accordance with N.J.A.C. 7:27-15.5(m).

"Official inspection facility" means a test-only inspection facility operated by, licensed by, or under contract with the DMV whose exclusive function is conducting emissions inspections.

"On board diagnostics" or "OBD" means an automotive diagnostic system complying with California OBD regulations or EPA OBD II regulations effective for model year 1996 and newer motor vehicles.

"Oxides of nitrogen" or " NO_x " means all the oxides of nitrogen including, but not limited to, nitric oxide (NO) and nitrogen dioxide (NO_2), except nitrous oxide (N_2O).

"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.

"Predelivery checklist" means a schedule of items and procedures which a new motor vehicle dealer is required or requested by a manufacturer to check or follow prior to delivery of a new motor vehicle to the ultimate purchaser.

"Private inspection facility" or "PIF" means a facility licensed by the DMV to perform emissions inspections that may also offer motor vehicle parts and repair services.

"Quasi-public property" means any property that, although under private ownership or control, is accessible to the public. This term shall include, but shall not be limited to, the New Jersey Turnpike, the Garden State Parkway, shopping mall roadways and parking lots, private business roadways and nonresidential parking lots.

"RPM" means revolutions per minute.

"Smoke" means small gasborne and airborne particles, exclusive of water vapor, arising from a process of combustion in sufficient number to be observable.

"Tier 1 Standards" means standards for LDGTs and LDGVs of model years 1994 and later, prescribed at section 202(g) of the Clean Air Act, 42 U.S.C.A. 7521(g).

"Ultimate purchaser" means any person, other than a motor vehicle dealer purchasing in his capacity as a motor vehicle dealer, who in good faith purchases a motor vehicle for purposes other than for resale as a motor vehicle dealer.

"Vehicle curb weight" means the actual weight of a motor vehicle in operational status or the weight given by the manufacturer for such a motor vehicle. Such weight shall include the weight of all standard equipment, of the fuel at nominal tank capacity, and of optional equipment computed in accordance with 40 CFR section 86.082-24. This term, with respect to an incomplete light-duty gasoline truck, shall be the weight given by the manufacturer for such a truck.

7:27-15.2 Applicability

- (a) Except as provided in (b) and (c) below, this subchapter applies to all light-duty gasoline-fueled vehicles, light-duty gasoline-fueled trucks and heavy-duty gasoline-fueled vehicles.
- (b) This subchapter does not apply to:
 - 1. Motor vehicles operated solely on diesel fuel;
 - 2. Motorcycles.
- (c) N.J.A.C. 7:27-15.3, 15.4, 15.5 and 15.6 apply only to those light-duty gasoline-fueled vehicles, light-duty gasoline-fueled trucks and heavy-duty gasoline-fueled vehicles that are subject to inspection in accordance with N.J.S.A. 39:8.
- (d) This subchapter shall apply to any person and the United States, all political subdivisions of the United States, and any agencies or instrumentalities thereof.

7:27-15.3 General public highway standards

- (a) No owner or operator of a gasoline-fueled motor vehicle shall cause, suffer, allow or permit the operation of the motor vehicle upon the public roads, streets or highways of the State or any public or quasi-public property in the State if the vehicle emits visible smoke in the exhaust emissions or in the crankcase emissions for a period in excess of three consecutive seconds.
- (b) No owner or operator of a gasoline-fueled motor vehicle shall cause, suffer, allow or permit the operation of the motor vehicle upon the public roads, streets, or highways of the State, or any public or quasi-public property in the State, if the vehicle emits hydrocarbons (HC), carbon monoxide (CO), or oxides of nitrogen (NO_x) in the exhaust emissions in excess of any applicable standards set forth at N.J.A.C. 7:27-15.6(b).
- (c) No owner or operator of a gasoline-fueled motor vehicle shall cause, suffer, allow or permit the operation of the motor vehicle upon the public roads, streets or highways of the State or any public or quasi-public property in the State if the motor vehicle does not satisfy and pass all applicable motor vehicle inspection testing requirements at N.J.A.C. 7:27-15.5 unless the motor vehicle has been issued a waiver in accordance with N.J.A.C. 13:20-43.13.
- (d) No owner or operator of a gasoline-fueled motor vehicle shall cause, suffer, allow or permit the operation of the motor vehicle upon the public roads, streets or highways of the State or any public or quasi-public property in the State if the motor vehicle is a 1968 or later model year vehicle (or, if the vehicle was originally sold in California, a 1966 or later model year vehicle), and the motor vehicle is not certified by either of the following agencies as meeting the applicable emission standards for motor vehicles manufactured in the model years listed below:
 - 1. EPA for model years 1968 and later; or
 - 2. CARB for model year 1966 and later motor vehicles originally sold in California.

7:27-15.4 New motor vehicle dealer inspections

(a) A new motor vehicle dealer shall ensure that, prior to delivery by the new motor vehicle dealer to the ultimate purchaser, any gasoline-fueled new motor vehicle subject to this subchapter pursuant to N.J.A.C. 7:27-15.2 conforms to the emission specifications prescribed by the manufacturer for the new motor vehicle. These specifications may be prescribed by the manufacturer in the new motor vehicle

- predelivery check list provided for the dealer's use in assuring proper functioning of the vehicle emission control apparatus.
- (b) Whenever applicable emission specifications are not prescribed by the manufacturer, the inspection standards as set forth in N.J.A.C. 7:27-15.6(b) shall apply to the new motor vehicle.

7:27-15.5 Motor vehicle inspections

- (a) The owner of a motor vehicle subject to this section pursuant to N.J.A.C. 7:27-15.2 shall have the motor vehicle periodically inspected in accordance with this section.
- (b) The motor vehicle shall be inspected at least once every two years. This biennial inspection shall be deemed an "on-cycle" inspection and shall include an initial inspection, together with any reinspections required pursuant to (h) below. In addition, in accordance with its procedures, the DMV may require the owner of a motor vehicle to have it inspected more frequently than every two years. Such more frequent inspections shall be deemed to be "off-cycle" inspections and shall also include an initial inspection together with any reinspections required pursuant to (h) below. In the case of a motor vehicle subject to the school bus inspection program as generally set forth at N.J.A.C. 13:20-30, an initial inspection shall be required semi-annually as provided at N.J.A.C. 13:20-30.13.
- (c) Initial inspections and reinspections for an on-cycle or an off-cycle inspection shall be performed at either an official inspection facility or at a PIF, or, in the case of a motor vehicle subject to the DMV's school bus inspection program as generally set forth at N.J.A.C. 13:20-30.1, at the premises or place of business of the operator of such vehicle, as provided at N.J.A.C. 13:20-30.13.
- (d) A motor vehicle inspection is not complete until:
 - 1. The motor vehicle passes all of the tests and satisfies all of the requirements, as specified in (f) below, that constitute the inspection or reinspection at an appropriate inspection facility, as specified in (c) above; or
 - 2. The motor vehicle has been issued a waiver in accordance with N.J.A.C. 13:20-43.13.
- (e) The motor vehicle shall be inspected as presented at the inspection facility without repair or adjustment prior to the inspection.

- (f) A motor vehicle inspection shall include the following:
 - 1. A visible smoke test conducted in accordance with N.J.A.C. 7:27B-5.3(a);
 - 2. Unless the motor vehicle is exempt pursuant to N.J.A.C. 7:27-15.6(e) or (f), an exhaust emission test or an OBD inspection utilizing motor vehicle testing equipment approved by the Department. The specific exhaust emission test or OBD inspection to be conducted shall be determined in accordance with (g) below;
 - 3. For an LDGV, LDGT or HDGV of model year 1975 or later, an emission control apparatus compliance examination conducted in accordance with N.J.A.C.7:27B- 5.6;
 - 4. For an LDGV, LDGT or HDGV originally equipped with a sealed fuel filler cap (that is, not a directly vented fuel filler cap), a fuel cap leak test utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B- 5.8; and
 - 5. For any motor vehicle that is subject to a recall notice issued to the owner on or after January 1, 1995, pursuant to either a "Voluntary Emissions Recall" as defined at 40 C.F.R. section 85.1902(d) or to a remedial plan determination made pursuant to 42 U.S.C.A. section 7541(c), the provision by the owner of the motor vehicle of documentation that all applicable recall repairs have been completed; provided, however, for any recall notice received fewer than 60 days prior to inspection, provision of this documentation may, instead, be provided at the next scheduled vehicle inspection.
- (g) On and after June 1, 2003, an OBD-eligible motor vehicle will receive an OBD inspection. For a motor vehicle that is not OBD-eligible and for all motor vehicles inspected prior to June 1, 2003, the exhaust emission test to be used pursuant to (f)2 above shall be as follows:
 - 1. The idle test set forth at N.J.A.C. 7:27B-5.3(b), if the motor vehicle is either of the following types:
 - i. A motor vehicle of model year 1980 or earlier; or
 - ii. A motor vehicle that has a GVWR in excess of 8,500 pounds;

- 2. The 2,500 RPM test set forth at N.J.A.C. 7:27B-5.4, if the motor vehicle is any of the following types and is not otherwise designated for testing with the idle test, as determined at(g)1 above:
 - i. A motor vehicle of model year 1981 or later that employs either full-time four-wheel drive or non-disengageable traction control;
 - ii. A low mileage vehicle of model year 1981 or later; or
 - iii. A gasoline-fueled motor vehicle subject to inspection as part of the school bus inspection program, as generally set forth at N.J.A.C. 13:20-30.13; or
- 3. The ASM5015 test set forth at N.J.A.C. 7:27B-5.5, if the motor vehicle is either of the following types and is not otherwise designated for testing with either the idle test, as determined at (g)1 above, or the 2,500 RPM test, as determined at (g)2 above:
 - i. A motor vehicle of model year 1981 through model year 1995; or
 - ii. A motor vehicle of model year 1996 or later that is not OBD-eligible;
- (h) The owner of a motor vehicle that fails to pass all of the tests that constitute a motor vehicle inspection pursuant to (f) above shall have it reinspected in accordance with every applicable element of (f) above by the deadline specified by the DMV at N.J.A.C. 13:20-7.5, 7.6(a) or 43.14(g), as applicable. Operation of the motor vehicle upon the public roads, streets or highways of the State or any public or quasi-public property in the State shall be prohibited pursuant to N.J.A.C. 7:27-15.3(c) unless, by the deadline established by the DMV at N.J.A.C. 13:20-7.5, 7.6(a) or 43.14(g), as applicable:
 - 1. The motor vehicle passes all of the tests and meets all the requirements that constitute the inspection or reinspection; or
 - 2. A waiver is issued pursuant to N.J.A.C. 13:20-43.13.
- (i) An on-road inspection conducted pursuant to N.J.A.C. 13:20-43.14 may include the following:
 - 1. A visible smoke test conducted in accordance with N.J.A.C. 7:27B-5.3(a);

- 2. Unless the motor vehicle is exempt pursuant to N.J.A.C. 7:27-15.6(e) or (f), an idle test utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B-5.3(b);
- 3. A 2,500 RPM test utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B-5.4;
- 4. An ASM5015 test utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B-5.5;
- 5. For an LDGV, LDGT or HDGV of model year 1975 or later, an emission control apparatus compliance examination conducted in accordance with N.J.A.C. 7:27B- 5.6;
- 6. For an LDGV, LDGT or HDGV originally equipped with a sealed fuel filler cap (that is, not a directly vented fuel filler cap), a fuel cap leak test utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B-5.8;
- 7. For an LDGV or LDGT of model year 1996 or later, an OBD inspection utilizing motor vehicle testing equipment approved by the Department and conducted in accordance with N.J.A.C. 7:27B-5.7; and
- 8. Any other tests deemed appropriate by the Director of the DMV that are directed toward detecting acts of tampering with emission control apparatus specifically prohibited at N.J.A.C. 7:27-15.7(a)1 or toward identifying vehicles operated in violation of N.J.A.C. 7:27-15.3(d). Such tests may include visual or functional checks of emission control apparatus and elements of design.
- (j) A motor vehicle inspection test using remote sensing techniques shall include the following: (Reserved)
- (k) Any motor vehicle that fails an on-road inspection conducted pursuant to (i) above or a remote sensing test conducted pursuant to (j) above shall be subject to an offcycle inspection. An off-cycle inspection shall consist of all test procedures and requirements to which a motor vehicle would normally be subject in accordance with (f) above. If the motor vehicle fails the initial off-cycle inspection, the provisions of (h) above apply.
- (I) Each year DMV shall conduct a program evaluation test which shall entail additional testing for at least 0.1 percent of those motor vehicles subject to inspection during that year. The motor vehicles subject to the program evaluation testing shall be selected by the DMV in accordance with its procedures. The program evaluation

test shall consist of one or more IM240 tests performed in accordance with N.J.A.C. 7:27B-5.6. The program evaluation test shall be performed after, and in addition to, any other inspection procedures required pursuant to this section. The results of the program evaluation test shall not be used in determining whether a motor vehicle has passed or failed its motor vehicle inspection with regard to exhaust emissions.

- (m) A motor vehicle that is not equipped with an OBD system is not OBD-eligible. A motor vehicle of model year 1996 or later that is equipped with an OBD system will be presumed to be eligible for an OBD inspection unless it meets one of the following criteria:
 - 1. The motor vehicle has a DLC which is in a location not readily accessible during a typical inspection procedure, provided that the DLC is in its original configuration as supplied by the motor vehicle manufacturer and has not been obstructed, damaged, removed or modified;
 - 2. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, has difficulty setting or maintaining an adequate number of readiness monitors;
 - 3. The motor vehicle OBD system, as designed by the motor vehicle manufacturer, employs a communications protocol which is currently incompatible with approved motor vehicle testing equipment; or
 - 4. The motor vehicle is otherwise identified by the USEPA or the Department as not technologically or functionally capable of OBD inspection.
- (n) The Department shall maintain a list of makes and model years of motor vehicles that it has determined to not be OBD-eligible, based on the criteria set forth at (m) above. A copy of this list will be available from the Department by contacting the Bureau of Transportation Control at (609) 530-4035 and can also be viewed and downloaded from the Department's website at www.state.nj.us/dep/agm.

7:27-15.6 Motor vehicle inspection standards

- (a) A light-duty gasoline-fueled vehicle, light-duty gasoline-fueled truck or heavy-duty gasoline-fueled vehicle shall not emit visible smoke in the exhaust emissions or in the crankcase emissions for a period in excess of three consecutive seconds when measured using the test procedure established at N.J.A.C. 7:27B-5.3(a).
- (b) A light-duty gasoline-fueled vehicle, light-duty gasoline-fueled truck or heavy-duty gasoline-fueled vehicle shall not emit carbon monoxide (CO), hydrocarbons (HC),

or oxides of nitrogen (NO_x) in the exhaust emissions in excess of the following standards:

1. If, pursuant to the provisions of N.J.A.C. 7:27-15.5(g), a motor vehicle is tested using the idle test, the motor vehicle shall be subject to the exhaust emission standards set forth in Table 1 below. Compliance with these standards shall be determined in accordance with the inspection test procedure at N.J.A.C. 7:27B-5.3(b);

TABLE 1

EXHAUST EMISSION STANDARDS FOR THE IDLE TEST

LDGVs and LDGTs Powered by Gasoline

Model Year	CO (% by volume)	HC (ppm as hexane)
Pre-1968	8.5	1400
1968-1970	7.0	700
1971-1974	5.0	500
1975-1980	3.0	300
1981 & Later	1.2	220

LDGVs and LDGTs Powered by a Fuel Other Than Gasoline (Reserved)

HDGVs Powered by Gasoline

Model Year	CO (% by volume)	HC (ppm as hexane)
Pre-1968	8.5	1400
1968-1970	8.5	1200
1971-1974	6.0	700
1975-1978	4.0	500
1979 & Later	3.0	300

HDGVs Powered by a Fuel Other Than Gasoline (Reserved)

2. If, pursuant to the provisions of N.J.A.C. 7:27-15.5(g), a motor vehicle is tested using the 2500 RPM test, the motor vehicle shall be subject to the applicable exhaust emission standards set forth in Table 2 below. Compliance with these standards shall be determined in accordance with the inspection test procedure at N.J.A.C. 7:27B-5.4;

TABLE 2

EXHAUST EMISSION STANDARDS FOR THE 2,500 RPM TEST

LDGVs and LDGTs Powered by Gasoline

Model Year	CO (% by volume)	HC (ppm as hexane)
1981 & Later	0.5	100

LDGVs and LDGTs Powered by a Fuel Other Than Gasoline (Reserved)

3. If, pursuant to the provisions of N.J.A.C. 7:27-15.5(g), a motor vehicle is tested using the ASM5015 test, the motor vehicle shall be subject to the applicable exhaust emission standards set forth in Table 3 below. Compliance with these standards shall be determined in accordance with the inspection test procedure at N.J.A.C. 7:27B-5.5.

TABLE 3 EXHAUST EMISSION STANDARDS FOR THE ASM5015 TEST

LDGVs Powered by Gasoline

Model Years	<u>HC</u> [*]	<u>CO</u> *	\underline{NO}_{x}^{*}
1981-1982	4	13	19
1983-1990	4	11	19
1991-1995	2	10	18

1994+ Tier 1	1	9	17

^{&#}x27;The numbers given in this column refer to the appropriate column number in Table 4 below, which contains the actual exhaust emission standards.

LDGVs Powered by a Fuel Other Than Gasoline (Reserved)

LDGT1s Powered by Gasoline

Model Years	<u>HC</u> [*]	<u>CO</u> *	$\underline{NO}_{x}^{}^{x}}$
1981-1983	8	16	24
1984-1987	6	15	24
1988-1990	6	15	20
1991-1995	5	13	19
1994+ Tier 1			
(≤3750 LVW)	1	9	17
(>3750 LVW)	2	10	18

^{&#}x27;The numbers given in this column refer to the appropriate column number in Table 4 below, which contains the actual exhaust emission standards.

LDGT1s Powered by a Fuel Other Than Gasoline (Reserved)

LDGT2s Powered by Gasoline

Model Years	<u>HC</u> *	<u>CO</u> *	<u>NO</u> ,*
1981-1983	8	16	24
1984-1987	6	15	24
1988-1990	6	15	23
1991-1995	5	13	22
1994+ Tier 1			
(≤5750 LVW)	2	10	18
(>5750 LVW)	5	13	21

'The numbers given in this column refer to the appropriate column number in Table 4 below, which contains the actual exhaust emission standards.

LDGT2s Powered by a Fuel Other Than Gasoline (Reserved)

TABLE 4

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Column	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Numbers																								
LVW(*)																								
1750	142	224	257	291	324	390	407	774	0.80	1.26	1.64	2.02	2.78	3.16	3.54	4.31	1212	1819	2272	2725	3178	3631	4084	4990
1875	134	212	243	275	306	368	384	729	0.75	1.19	1.55	1.91	2.63	2.98	3.34	4.06	1142	1713	2181	2649	3117	3586	4054	4990
2000	127	201	230	260	289	348	363	688	0.71	1.13	1.47	1.81	2.48	2.82	3.16	3.83	1077	1616	2058	2499	2941	3383	3824	4778
2125	121	191	219	246	274	329	343	650	0.68	1.07	1.39	1.71	2.35	2.67	2.99	3.63	1018	1527	1944	2360	2776	3192	3609	4578
2250	115	182	208	234	260	312	325	615	0.64	1.02	1.32	1.62	2.23	2.53	2.83	3.44	964	1446	1839	2232	2625	3018	3411	4395
2375	109	173	198	223	247	297	309	583	0.61	0.97	1.26	1.54	2.12	2.40	2.69	3.26	915	1372	1744	2115	2487	2859	3231	4228
2500	105	166	189	212	236	283	294	554	0.59	0.93	1.20	1.47	2.02	2.29	2.56	3.10	869	1304	1657	2009	2361	2714	3066	4076
2625	100	159	181	203	225	270	281	528	0.56	0.89	1.15	1.41	1.92	2.18	2.44	2.96	828	1242	1577	1912	2246	2581	2916	3936
2750	96	152	173	194	216	258	269	503	0.54	0.85	1.10	1.34	1.84	2.09	2.33	2.83	791	1186	1504	1823	2142	2460	2779	3809
2875	92	146	167	187	207	247	257	481	0.52	0.82	1.05	1.29	1.76	2.00	2.23	2.71	756	1134	1438	1742	2046	2350	2654	3669
3000	89	141	160	180	199	237	247	461	0.50	0.79	1.01	1.24	1.69	1.92	2.14	2.60	725	1088	1378	1668	1959	2249	2539	3510
3125	86	136	155	173	191	228	238	443	0.48	0.76	0.98	1.19	1.63	1.84	2.06	2.50	696	1045	1323	1601	1879	2157	2435	3366
3250	83	132	149	167	185	220	229	426	0.46	0.73	0.94	1.15	1.57	1.78	1.99	2.40	670	1006	1273	1539	1806	2073	2340	3234
3375	81	128	145	162	179	213	221	411	0.45	0.71	0.91		1.52	1.72	1.92	2.32	647	970	1227	1483	1740	1997	2253	3113
												1.11												
3500	78	124	140	157	173	206	214	397	0.44	0.69	0.88	1.08	1.47	1.66	1.86	2.24	625	937	1184	1432	1679	1926	2174	3002
3625	76	120	136	152	168	200	207	384	0.42	0.67	0.86	1.05	1.42	1.61	1.80	2.17	605	907	1146		1623	1862	2100	2900
3750	74	117	133	148	163	194	201	372	0.41	0.65	0.83	1.02	1.38	1.56	1.74	2.11	586	879	1110	1340	1571	1802	2033	2806
3875	72	114	129	144	159	188	196	361	0.40	0.63	0.81	0.99	1.34	1.52	1.69	2.05	569	853	1077	1300	1523	1747	1970	2719
4000	71	112	126	140	155	183	191	351	0.39	0.62	0.79	0.96	1.31	1.48	1.65	1.99	553	829	1046	1262	1479	1695	1912	2638
4125	69	109	123	137	151	179	186	341	0.38	0.60	0.77	0.94	1.27	1.44	1.61	1.94	538	807	1017	1227	1437	1647	1857	2562
4250	67	107	120	134	147	174	181	332	0.37	0.59	0.75	0.92	1.24	1.40	1.56	1.89	524	786	990	1194	1398	1602	1806	2490
4375	66	104	118	131	144	170	177	323	0.36	0.58	0.74	0.89	1.21	1.37	1.53	1.84	510	766	964	1162	1360	1559	1757	2423
4500	65	102	115	128	141	166	172	315	0.36	0.57	0.72	0.87	1.18	1.34	1.49	1.80	498	747	939	1132	1325	1518	1711	2359
					137			308			0.70	0.85							916		1291			
4625	63	100	113	125		162	169		0.35	0.55			1.15	1.30	1.46	1.76	486	728				1479	1666	2297
4750	62	98	110	122	134	159	165	300	0.34	0.54	0.69	0.84	1.13	1.28	1.42	1.72	474	711	893		1259	1441	1624	2238
4875	61	96	108	120	132	155	161	293	0.34	0.53	0.67	0.82	1.10	1.25	1.39	1.68	463	694	872		1227	1405	1583	
5000	60	94	106	117	129	152	157	286	0.33	0.52	0.66	0.80	1.08	1.22	1.36	1.64	452	677	850	1023	1196	1369	1542	2125
5125	58	93	104	115	126	148	154	279	0.32	0.51	0.65	0.78	1.05	1.19	1.33	1.60	441	661	830	998	1167	1335	1503	2070
5250	57	91	102	112	123	145	150	272	0.32	0.50	0.63	0.77	1.03	1.16	1.30	1.56	431	646	810	974	1138	1301	1465	2017
5375	56	89	100	110	121	142	147	266	0.31	0.49	0.62	0.75	1.01	1.14	1.27	1.53	420	631	790	950	1109	1269	1428	1966
5500	55	87	98	108	118	139	144	259	0.30	0.48	0.61	0.73	0.99	1.11	1.24	1.49	410	616	771	926	1082	1237	1392	1916
5625	54	86	96	106	116	136	141	253	0.30	0.47	0.59	0.72	0.97	1.09	1.21	1.46	401	601	752	904	1055	1206	1357	1867
5750	53	84	94	104	113	133	138	247	0.29	0.46	0.58	0.70	0.94	1.07	1.19	1.43	391	587	734	882	1029	1176	1323	1820
5875	52	83	92	102	111	130	135	241	0.29	0.45	0.57	0.69	0.92	1.04	1.16	1.40	383	574	717	860	1004	1147	1290	1774
6000	51	81	90	102	109	127	132	236	0.28	0.43	0.56	0.67	0.92				374	561	701	840	980	1120		
i i	i i	i	T T		i i	÷	i	i	i		i i		i	1.02	1.14	1.37	1		i	i		i	i	i i
6125	50	80	89	98	107	125	129	231	0.28	0.44	0.55	0.66	0.89	1.00	1.11	1.34	366	549	685	822	958	1094	1230	
6250		79	87	96	105	123	127	226	0.27	0.43	0.54	0.65	0.87	0.98	1.09	1.31	359	538	671	804		1070		
6375	49	77	86	95	103	120	125	222	0.27	0.42	0.53	0.64	0.86	0.96	1.07	1.29	352	528	658	788	919	1049	1179	1619
6500	48	76	85	93	102	119	123	218	0.26	0.42	0.52	0.63	0.84	0.95	1.06	1.27	346	519	647	775	902	1030	1158	1590
6625	48	76	84	92	101	117	121	215	0.26	0.41	0.52	0.62	0.83	0.94	1.04	1.25	341	512	638	763	889	1014	1140	1565
6750	47	75	83	91	100	116	120	213	0.26	0.41	0.51	0.61	0.82	0.93	1.03	1.24	338	507	631	755	879	1003	1127	1546
6875		75	83	91	99	115	119	211		0.40				0.92	1.02			503	626		872			1534
7000		74	83	91	99	115	119	211	0.25	0.40				0.92		1.23		502	625		870			1531
									0.25	0.40											870			1530
7125		74	82	90	98	115	119	211				0.61	0.81		1.02	1.22		502	624	747				
7250		74	82	90	98	115	119	211	0.25	0.40		0.61	0.81	0.92	1.02	1.22		502	624	747	870			1530
7375		74	82	90	98	115	119	211	0.25	0.40			0.81		1.02			502	624	747	870			1530
7500	47	74	82	90	98	115	119	211	0.25	0.40	0.50	0.61	0.81	0.92	1.02	1.22	335	502	624	747	870	992	1115	1530

^{*} For the purpose of applying these standards, the vehicle's LVW shall be rounded to the nearest 125 pound increment listed in this table.

Note: The emission standards decrease with increasing vehicle weight in order to maintain a constant concentration-based standard for all vehicle weights. This effect is a result of conversion of the standards from a mass measurement to a concentration measurement and accounts for increased displacement from larger engines or a higher RPM from the increased load on smaller engines in heavier vehicles.

- 4. If, pursuant to the provisions of N.J.A.C. 7:27-15.5(g), a motor vehicle is tested using an OBD inspection conducted in accordance with the inspection test procedure at N.J.A.C. 7:27B-5.7, it shall be considered to have passed said inspection unless:
 - i. The DLC can not be found or is damaged/obstructed in such a way as to not allow a connection between the analyzer and the motor vehicle;
 - ii. Communication can not be established between the analyzer and the vehicle's OBD system;
 - iii. The MIL is not illuminating when commanded to light;
 - iv. The number of systems which have readiness monitors which are not ready for inspections exceeds the following criteria: three "not ready" codes for motor vehicles model year 1996 through 2000 and two "not ready" codes for motor vehicles model year 2001 and newer, as established at 40 C.F.R. §51.357, incorporated herein by reference;
 - v. DTCs have been detected by the OBD system to cause the MIL to be commanded on; or
 - vi. A motor vehicle fails an initial OBD inspection as indicated by one or more catalyst DTCs, and fails a tailpipe test conducted on reinspection to confirm catalyst repairs in the case where the catalyst readiness monitor indicates the monitor is not ready during the OBD reinspection.
- (c) A gasoline-fueled motor vehicle which is subject to inspection pursuant to N.J.A.C. 7:27-15.5(a) shall, as a condition of compliance with said inspection, have a properly functioning and properly maintained emission control apparatus as determined according to the inspection test procedures established at N.J.A.C. 7:27B- 5.6.
- (d) Except as provided in (e) and (f) below, the applicability of the standards set forth in this subchapter and of the test procedure set forth at N.J.A.C. 7:27B-5.3 through 5.8, inclusive, to a motor vehicle with an engine other than the engine originally installed by the manufacturer shall be based on the chassis type and model year of the motor vehicle, not on the engine model year.
- (e) A motor vehicle that is modified to operate solely on a fuel other than that for which the motor vehicle was originally equipped shall be subject to the test procedures and standards applicable to a motor vehicle of the current fuel type. If the motor vehicle's fuel type after modification is one to which this subchapter does not apply (for

example, a gasoline engine replaced with a diesel engine), the motor vehicle shall be exempt from this subchapter. If the motor vehicle's fuel type after modification is a fuel type to which this subchapter applies, but is other than gasoline (for example, a gasoline engine modified to operate solely on natural gas), the standards applicable to that motor vehicle shall be those prescribed in the Tables 1, 2 and 3 above for motor vehicles powered by a fuel other than gasoline. Until such time that applicable exhaust emission standards are promulgated for motor vehicles powered by fuels other than gasoline, such vehicles shall be exempt from exhaust emission testing when operating on a fuel other than gasoline.

- (f) A motor vehicle that is modified or manufactured to operate on more than one fuel type shall be subject to exhaust emission standards that apply to the motor vehicle for each fuel type for which the motor vehicle is equipped. Such motor vehicle shall be subject to an exhaust emission test for each fuel type on which it operates and shall comply with all applicable standards for each fuel type. Such motor vehicle shall also be subject to a fuel cap leak test when operating on gasoline. If the motor vehicle is capable of simultaneous operation on more than one fuel type (for example, flexible fuel, gasoline-methanol vehicle), the motor vehicle shall be subject to an exhaust emission test using the fuel mixture in the vehicle at the time of inspection and subject to the exhaust emission standards applicable to vehicles powered by gasoline. When operating on a fuel other than gasoline, the exhaust emission standards applied to a motor vehicle shall be those prescribed in the Tables 1, 2 and 3 above for motor vehicles powered by a fuel other than gasoline. Until such time that applicable exhaust emission standards are promulgated for motor vehicles powered by fuels other than gasoline, such vehicles shall be exempt from exhaust emission testing when operating on a fuel other than gasoline.
- (g) The provisions of (d), (e), and (f) above shall not be construed to allow any of the following acts, if such act is prohibited by N.J.A.C. 7:27-15.7:
 - 1. The installation of an engine into a motor vehicle other than the engine originally installed by the manufacturer;
 - 2. The operation of a motor vehicle on a fuel other than that for which the motor vehicle was originally equipped; and
 - 3. The modification of a motor vehicle to operate on more than one fuel type.

7:27-15.7 Prohibition of tampering with emission control apparatus

(a) No owner or operator of a gasoline-fueled motor vehicle shall cause, suffer, allow or permit any of the following, unless it is performed in accordance with EPA Memorandum 1A or it is exempt from prohibition by CARB executive order (information on devices or modifications approved by CARB executive order may be obtained from Air Resources Board, Haagen-Smit Laboratory, 9528 Telstar Avenue, El Monte, CA, 91731-2990):

- The disconnection, detachment, deactivation, or any other alteration or modification from the design of the original vehicle manufacturer of an element of design installed on any motor vehicle with a certified configuration, except temporarily for the purpose of diagnosis, maintenance, repair or replacement;
- 2. The operation on the public roads, streets or highways of the State or any public or quasi-public property in the State of any motor vehicle with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer;
- The sale, lease, or offer for sale or lease, of any motor vehicle with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer; or
- 4. The sale, or offer for sale, of any device or component as an element of design intended for use with, or as part of, any motor vehicle or motor vehicle engine with a certified configuration, which is not designed to duplicate the function and performance of any element of design installed by the original vehicle manufacturer.

7:27-15.8 Idle standard

- (a) No person shall cause, suffer, allow, or permit the engine of a gasoline-fueled motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion.
- (b) The provisions of (a) above shall not apply to:
 - I. Autobuses while discharging or picking up passengers;
 - 2. Motor vehicles stopped in a line of traffic;
 - Motor vehicles whose primary and/or secondary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion, passenger compartment heating or air conditioning;

- 4. Motor vehicles being or waiting to be examined by State or Federal motor vehicle inspectors;
- 5. Emergency motor vehicles in an emergency situation;
- 6. Motor vehicles while being repaired;
- 7. Motor vehicles while engaged in the process of connection, detachment or exchange of trailers; or
- 8. Motor vehicles manufactured with a sleeper berth while being used, in a non-residentially zoned area, by the vehicle's operator for sleeping or resting.

7:27-15.9 Non-interference with the motor vehicle codes

Nothing in this subchapter is intended to limit or deny the inspection of motor vehicles in accordance with regulations established pursuant to N.J.S.A. 39:8-2, 39:3-70, 39:3-76, and 39:10-26.

APPENDIX

The following table highlights the provisions of N.J.A.C. 7:27-15.5(g) to show generally the exhaust emissions test or OBD inspection to be administered to each category of vehicle inspected or reinspected:

Test/model year	1980 and older	1981 - 1995	1996 and newer*
idle	all	GVWR > 8500	GVWR > 8500
2,500 RPM	-	all-wheel drive, low mileage, etc. school bus	all-wheel drive, low mileage, etc. school bus
ASM5015	-	all others not covered above	all others not covered above
OBD (after 6/1/2003)	-	-	all OBD-equipped and eligible

^{*}Note: On and after June 1, 2003, an OBD-equipped and eligible motor vehicle will receive an OBD inspection.