



Enforcement Alert

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: October 2007

#2007-10

Annual Emission Inspection Required for Publicly Owned Diesel-Powered Vehicles

All Municipalities, Counties, School Districts, and other public agencies that operate diesel-powered vehicles must comply.

Public agencies, including state agencies that operate heavy-duty diesel-powered vehicles are required to have these vehicles inspected each year for smoke emissions. Heavy-duty diesel-powered vehicles are 18,000 pounds or more, gross weight, and include delivery, utility, dump and garbage trucks, buses and school buses. Only fire, police, ambulance and emergency vehicles, such as first aid and rescue vehicles, are exempt.

Why is DEP focusing on publicly owned diesel-powered vehicles?

Diesel exhaust is a toxic substance that has been found to exacerbate or cause serious health effects including allergies, asthma, respiratory diseases, cancer, and in some cases even premature death. Government should lead by example in the fight to reduce diesel emissions, however many public fleets are not in compliance with the annual inspection requirement. In fact, DEP estimates that only one of every five publicly owned diesel-powered vehicles have been inspected. The issue seems to be a misinterpretation of the emergency vehicle exemption. ***True emergency vehicles that are dedicated to a single, extremely limited use, such as police tactical response vans, fire and heavy rescue trucks, and ambulances, that are publicly owned, are exempt from the annual inspection requirement.*** Even though some utility, dump, or garbage trucks may be pressed into "emergency" service, such as plowing snow in winter, their primary function is transporting material or passengers on a daily basis. Therefore, these vehicles must be inspected annually.

What is DEP doing?

The Diesel Inspection and Maintenance Program is reaching out to public fleet managers to clarify the exemption for emergency vehicles. Like private and commercially owned vehicles, these publicly owned diesel-powered vehicles must be inspected annually for emissions. State Police and Motor Vehicle inspection teams will be on the look out for vehicles that have not been inspected. Public fleet vehicles are subject to random roadside testing, in addition to the annual inspection, and may be liable for penalties and enforcement action for failing the test, not being inspected, or both. Violations are placed upon *owner* or *lessee*, not the *operator*. The fine for a first offense is \$700, reducible to \$150, with proof of repair. For second and subsequent offenses the fine is \$1300, reducible to \$500 with proof of repair. Failure to comply with the annual inspection requirement carries a fine of \$500.

COMPLIANCE ADVISORY

What should I do?

The following is a general list of things to check to ensure compliance and is by no means a complete list of requirements with which you need to comply.

- Check with the person in charge of your vehicles, such as the fleet manager, vehicle or transportation coordinator, or public works director.
- Determine which of your vehicles must be inspected, and make arrangements to have them inspected as soon as possible by a licensed Diesel Emission Inspection Center (DEIC).
- In many cases, one of your neighboring municipalities or county facilities may be a DEIC, authorized by the Motor Vehicle Commission to perform the inspections. DEICs may charge a maximum of one hour of their posted hourly rate (commonly up to \$100) for the inspection service.

Who should I contact with questions?

To find a nearby inspection center, check the Motor Vehicle Commission website at http://nj.gov/mvc/pdf/Inspections/deics_county.pdf, or call 609-292-5330.

If you have a fleet of twenty or more vehicles, and are interested in becoming a DEIC, contact the Motor Vehicle Commission, Bureau of Business License Services at 609-777-1694.

If you need further information regarding which of your vehicles may be exempt from the inspection requirement, contact the Diesel Inspection and Maintenance Program at 609-292-7953, or email to dieseld@dep.state.nj.us.

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

DEP Office of Air Quality/Bureau of Motor Vehicle Inspection & Maintenance
<http://www.nj.gov/dep/dieselim/>

NJ Motor Vehicle Commission-Understanding Diesel Emission Inspection
<http://nj.gov/mvc/Inspections/UnderstandingDiesel.htm>

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the **Diesel Inspection and Maintenance Program** number listed above.