

TITLE 13. LAW AND PUBLIC SAFETY  
CHAPTER 20. ENFORCEMENT SERVICE  
SUBCHAPTER 1. STANDARDS AND SPECIFICATIONS GOVERNING THE TYPES OF  
SUN-SCREENING MATERIALS AND PRODUCTS THAT MAY BE INSTALLED OR AP-  
PLIED TO WINDSHIELDS AND FRONT SIDE WINDOWS OF MOTOR VEHICLES FOR  
WHICH MEDICAL EXEMPTION CERTIFICATES HAVE BEEN ISSUED; STANDARDS  
GOVERNING THE ISSUANCE OF MEDICAL EXEMPTION CERTIFICATES

*N.J.A.C. 13:20-1.1 (2017)*

§ 13:20-1.1 Definitions

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

"Action spectra" means those portions of the electromagnetic spectrum, such as UVA, UVB, near UV, and visible light, which elicit an adverse medical condition as specified in *N.J.S.A. 39:3-75.1* and this subchapter.

"AS-1 line" means the mark at the edge of a sheet of glazing material that delineates the area of the windshield requisite for driving visibility and indicates that portion of the sheet of glazing material having a luminous transmittance of not less than 70 percent.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Clear film" means a material that, when applied over factory-installed glazing, has a neutral gray appearance.

"Motor Vehicle Commission" or "Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (*N.J.S.A. 39:2A-4*).

"Near UV" means the portion of the visible electromagnetic spectrum that appears violet to blue in color, having wavelengths that range from 400 nanometers to 492 nanometers.

"Optical properties" means the percentage of visible light and/or UV transmittance, visible light reflection, and other parameters of approved sun-screening materials and products as supplied by the manufacturer and installed or applied by registered sun-screening material installation facilities.

"Reflectance" means the percentage of visible light reflected by the sun-screening material or product.

"Tinted film" means a material of any color that is applied over factory-installed glazing.

"Transmittance" means the percentage of visible light and/or UV radiation that passes through a sun-screening material or product and the factory-installed glazing to which it is attached.

"Ultraviolet" or "UV" means the ultraviolet portion of the electromagnetic spectrum, having wavelengths that range from 290 nanometers to 400 nanometers.

"UVA" means the portion of the UV spectrum that ranges from 320 nanometers to 400 nanometers in wavelength.

"UVB" means the portion of the UV spectrum that ranges from 290 nanometers to 320 nanometers in wavelength.

"Visible light" means that portion of the electromagnetic spectrum that is directly observable, having wavelengths that range from 400 nanometers to 760 nanometers with a corresponding appearance of violet to red in color.

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*N.J.A.C. 13:20-1.2 (2017)*

§ 13:20-1.2 Light transmittance standard; motor vehicle windshield and front side windows

(a) Sun-screening materials and products shall not be installed or applied to the windshield of a motor vehicle which, in conjunction with factory-installed glazing, reduce the transmittance of normally incident visible light below 70 percent.

(b) Notwithstanding (a) above, sun-screening materials and products may be installed or applied to that portion of the windshield of a motor vehicle above the AS-1 line which, in conjunction with factory-installed glazing, reduce the transmittance of normally incident visible light below 70 percent.

(c) Sun-screening materials and products shall not be installed or applied to the front side window(s) of a motor vehicle which, in conjunction with factory-installed glazing, reduce the transmittance of normally incident visible light below 60 percent.

(d) Notwithstanding (c) above, the owner or lessee of a motor vehicle for which a medical exemption certificate has been issued pursuant to this subchapter may affix readily removable sun-screening materials and products to the uppermost six-inch portion of the front side window(s) of such motor vehicle during the hours between sunrise and sunset; provided, however, that such readily removable sun-screening materials and products shall not, in conjunction with factory-installed glazing, reduce the transmittance of normally incident visible light below 35 percent.

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*N.J.A.C. 13:20-1.3 (2017)*

§ 13:20-1.3 Visible light reflectance standard; motor vehicle windshield and front side windows

The visible light reflectance of sun-screening materials and products installed or applied to the windshield and/or the front side window(s) of a motor vehicle shall not exceed eight percent.

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*N.J.A.C. 13:20-1.4 (2017)*

§ 13:20-1.4 Sun-screening materials or products; color

(a) Sun-screening materials or products that are installed or applied to the windshield of a motor vehicle shall be a clear film.

(b) Sun-screening materials or products that are installed or applied to the front side window(s) of a motor vehicle shall be either a clear film or a tinted film.

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*N.J.A.C. 13:20-1.5 (2017)*

§ 13:20-1.5 Medical exemption certificate application procedure; application contents

(a) The owner or lessee of a motor vehicle that is driven by or is used to regularly transport a person who has a medical condition involving ophthalmic or dermatological photosensitivity, including, but not limited to, the medical conditions specified in *N.J.S.A. 39:3-75.1*, chronic actinic dermatitis, photosensitive eczema, and skin cancers having an associated diagnosis of chronic actinic dermatitis, may apply to the Chief Administrator for a medical exemption certificate to have the windshield and/or the front side window(s) of such motor vehicle covered by or treated with a material or product that increases its visible light reflectance or reduces its light transmittance.

(b) An applicant for a medical exemption certificate pursuant to this subchapter shall set forth the following information on an application form prescribed by the Motor Vehicle Commission:

1. The name, address, and driver license number of the person who has a medical condition involving ophthalmic or dermatological photosensitivity; and

2. The make, model, year, registration plate number, and vehicle identification number of the vehicle on which the sun-screening material or product is to be installed or applied.

(c) An applicant for a medical exemption certificate pursuant to this subchapter shall, upon complying with (b) above, submit the application to a certified ophthalmologist or a physician with a plenary license to practice medicine and surgery in this State or a bordering state for completion.

(d) The ophthalmologist or physician referred to in (c) above shall certify in writing on the application that the person for whom the application is being submitted has a medical condition involving ophthalmic or dermatological photosensitivity, and shall specify such medical condition and the recommended treatment therefor. The written certification shall also include the specific wavelength or action spectra of light to which the patient is photosensitive. For medical conditions involving dermatological photosensitivity, certification of photo-testing, using specific wavelengths of artificially generated photo-radiation to test skin for the radiation wavelengths that elicit a photo-reaction, shall be submitted with the application so as to enable the Chief Administrator to determine the type and application of sun-screening materials and products that may be permitted to be installed or applied to the motor vehicle windshield and/or the front side window(s). The ophthalmologist or physician shall also set forth on the application his or her name, business address, medical license number, state of licensure, and date of licensure.

(e) Upon completion of the application for a medical exemption certificate in accordance with (a) through (d) above, the application shall be submitted by the applicant to the Motor Vehicle Commission for issuance of the medical exemption certificate.

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*N.J.A.C. 13:20-1.6 (2017)*

§ 13:20-1.6 Medical exemption certificate; period of validity; renewal; certificate void upon sale or termination of lease of motor vehicle; removal of sun-screening materials or products prior to sale or termination of lease of motor vehicle

(a) A medical exemption certificate shall be issued for a motor vehicle upon the owner's or lessee's compliance with *N.J.A.C. 13:20-1.5*.

(b) A medical exemption certificate shall be valid for a period of 48 months.

(c) The owner or lessee of a motor vehicle for which a medical exemption certificate has been issued pursuant to this subchapter shall make application for the renewal of such certificate no later than 30 days before the expiration of the certificate. The certificate shall not be renewed if the previously installed or applied sun-screening material or product has developed a haze, discoloration, or other visual distortion that changes the original optical properties of the sun-screening material or product.

(d) A medical exemption certificate shall be deemed void upon the sale of, or the termination of the lease for, the motor vehicle for which the certificate was issued; provided, however, that if the lessee purchases the motor vehicle upon the termination of the lease, the medical exemption certificate issued therefor shall remain valid until the issuance of a replacement medical exemption certificate for the motor vehicle by the Motor Vehicle Commission in accordance with (e) below.

(e) The owner or lessee of the motor vehicle for which a medical exemption certificate has been issued shall be responsible for the removal of the sun-screening materials or products from the windshield and/or the front side window(s) prior to the sale of, or the termination of the lease for, the motor vehicle. This subsection shall not apply to a lessee who purchases the motor vehicle for which a medical exemption certificate has been issued upon the termination of the lease for the motor vehicle; provided, however, an application for a replacement medical exemption certificate shall be submitted to the Motor Vehicle Commission by the purchaser within 14 days of the date of issuance of the new registration for the motor vehicle. The replacement medical exemption certificate shall indicate the new registered owner and the new registration plate number of the motor vehicle.



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*N.J.A.C. 13:20-1.7 (2017)*

§ 13:20-1.7 Medical exemption certificate; exhibition to police

(a) The medical exemption certificate shall be in the possession of the driver or operator at all times when he or she is in charge of the motor vehicle on the highways of this State.

(b) The driver or operator shall exhibit the medical exemption certificate when requested to do so by a police officer while in the performance of the duties of his or her office.

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*N.J.A.C. 13:20-1.8 (2017)*

§ 13:20-1.8 Label; attachment; size; content; representation of compliance with subchapter

(a) Each sun-screening material installation facility registered by the Motor Vehicle Commission in accordance with *N.J.A.C. 13:20-2* shall attach a label between the sun-screening material or product and the windshield and/or the front side window(s) of the motor vehicle to which such material or product is installed or applied. A label shall be attached to the lower right corner of the windshield as viewed from the interior of the motor vehicle and shall be completely visible from the front of the motor vehicle. A label shall be attached to the lower left corner of the front left side window as viewed from the interior of the motor vehicle and shall be completely visible from the left side of the motor vehicle. A label shall be attached to the lower right corner of the front right side window as viewed from the interior of the motor vehicle and shall be completely visible from the right side of the motor vehicle.

(b) The label required by (a) above shall be one inch by one inch in size, and shall contain the name of the sun-screening material or product manufacturer and the registration number of the sun-screening material installation facility that installed or applied the sun-screening material or product to the motor vehicle.

(c) The attachment of the label to the windshield and/or the front side window(s) of a motor vehicle shall constitute the sun-screening material installation facility's representation that the sun-screening materials or products are in compliance with the standards set forth in this subchapter.

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*N.J.A.C. 13:20-2.1 (2017)*

§ 13:20-2.1 Purpose

The purpose of this subchapter is to implement *N.J.S.A. 39:3-75.1* et seq. by establishing a system for the registration of persons in the business of installing or applying approved sun-screening materials and products on the windshields and/or the front side window(s) of motor vehicles for which medical exemption certificates have been issued in accordance with *N.J.A.C. 13:20-1* and which are driven by or are used to regularly transport a person having a medical condition involving ophthalmic or dermatological photosensitivity.

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*N.J.A.C. 13:20-2.2 (2017)*

§ 13:20-2.2 Scope

(a) This subchapter shall apply to every person engaged in the business of installing or applying approved sun-screening materials and products to windshields and/or front side windows of motor vehicles for which medical exemption certificates have been issued in accordance with *N.J.A.C. 13:20-1* and which are driven by or are used to regularly transport a person who has a medical condition involving ophthalmic or dermatological photosensitivity.

(b) No person shall, on or after September 17, 2001, engage in the business of installing or applying approved sun-screening materials and products to windshields and/or front side windows of motor vehicles for which medical exemption certificates have been issued in accordance with *N.J.A.C. 13:20-1* and which are driven by or are used to regularly transport a person who has a medical condition involving ophthalmic or dermatological photosensitivity unless registered by the Chief Administrator in accordance with this subchapter.

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*N.J.A.C. 13:20-2.3 (2017)*

§ 13:20-2.3 Definitions

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

"Advertising" means any printed or published materials including, but not limited to, direct mail, circulars, leaflets, pamphlets, newspapers, magazines, billboards, yellow pages of any telephone directory, radio and/or television broadcasts, and any other advertising medium of communication used to induce the public to seek the services of a sun-screening material installation facility. The term "advertising" shall not include printed or published materials appearing in the white pages of any telephone directory.

"Applicant" means any person making application pursuant to this subchapter for an initial registration to engage in the business of installing or applying approved sun-screening materials and products to motor vehicle windshields and/or front side windows or to renew an existing registration. In the case of a partnership or corporation applying for a registration, the term "applicant" shall respectively include all partners and/or officers and directors and/or persons having a controlling interest in a sole proprietorship or corporation.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Controlling interest" means possession of the power to direct or cause the direction of the management and policies of a sun-screening material installation facility whether through the ownership of voting securities or otherwise. The Chief Administrator will presume that control in fact exists if any person or entity directly or indirectly owns, controls, holds the power to vote, or holds proxies representing 10 percent or more of the voting securities of any sun-screening material installation facility. This presumption may be rebutted by showing that control does not in fact exist. The Chief Administrator may determine that control in fact exists, notwithstanding the presence or absence of a presumption to that effect.

"Customer" means the owner of record of a motor vehicle on file with the Motor Vehicle Commission, or any family member, employee, or any other person whose use of the motor vehicle is authorized by such owner of record.

"Engaged in the business" means performing the installation or application of approved sun-screening materials and products to motor vehicle windshields and/or front side windows for compensation and includes:

1. Any person installing or applying approved sun-screening materials and products on the windshields and/or the front side windows of motor vehicles that are driven by or are used to regularly transport a person having a medical condition involving ophthalmic or dermatological photosensitivity;

2. Any person who subcontracts or has any type of business arrangement with a sun-screening material installation facility or other person to install or apply approved sun-screening materials and products to motor vehicle windshields and/or front side windows;

3. Any person who prepares an estimate to be used by a sun-screening material installation facility or other person to install or apply approved sun-screening materials and products to motor vehicle windshields and/or front side windows; or

4. Any person who negotiates in any manner with any customer to install or apply approved sun-screening materials and products to motor vehicle windshields and/or front side windows.

"Estimate" means any written determination prepared by a sun-screening material installation facility of the approximate cost of the parts and labor needed to install or apply approved sun-screening materials and products to motor vehicle windshields and/or front side windows.

"Motor Vehicle Commission" or "Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c.13 (*N.J.S.A. 39:2A-4.*)

"Person" means any natural person, business, company, firm, partnership, association, corporation, or any other entity.

"Place of business" means the address or location where the services of a sun-screening material installation facility are offered or ordinarily performed.

"Sun-screening material installation facility" means any person who for compensation engages in the business of installing or applying approved sun-screening materials and products on the windshields and/or the front side window(s) of motor vehicles for which medical exemption certificates have been issued in accordance with *N.J.A.C. 13:20-1* and which are driven by or used to transport a person having a medical condition involving ophthalmic or dermatological photosensitivity. For the purpose of this subchapter, an employee of a sun-screening material installation facility who engages in the business of installing or applying approved sun-screening materials and products to motor vehicle windshields and/or front side windows solely by reason of his or her employment shall not be deemed to be a sun-screening material installation facility and shall not be required to be registered.

"Sun-screening material installation facility registration" means a registration issued to a sun-screening material installation facility which evidences the Chief Administrator's authorization for the facility to engage in the business of installing or applying approved sun-screening materials and products on the windshields and/or the front side window(s) of motor vehicles for which medical exemption certificates have been issued in accordance with *N.J.A.C. 13:20-1* and which are driven by or are used to regularly transport a person having a medical condition involving ophthalmic or dermatological photosensitivity.

"Suspension, revocation, or refusal to renew" means administrative action by the Chief Administrator, in accordance with *N.J.S.A. 39:3-75.1* et seq. or this subchapter, to refuse to renew a sun-screening material installation facility registration or to suspend or revoke such registration.

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*N.J.A.C. 13:20-2.4 (2017)*

§ 13:20-2.4 Initial application for registration

(a) Any person seeking to engage in the business of a sun-screening material installation facility shall apply, in accordance with the provisions of this subchapter, to the Chief Administrator for a registration authorizing him or her to engage in such business. An application for a sun-screening material installation facility registration may be obtained from the Motor Vehicle Sun-Screening Material Installation Facility Registration Unit of the Motor Vehicle Commission. The address of the Motor Vehicle Sun-Screening Material Installation Facility Registration Unit is:

Motor Vehicle Commission  
Business License Services  
Motor Vehicle Sun-Screening Material Installation Facility Registration Unit  
225 East State Street  
PO Box 172  
Trenton, New Jersey 08666-0172

(b) Each applicant for a sun-screening material installation facility registration shall file with the Chief Administrator, in such form and detail as may be required by him or her, an application setting forth the following:

1. The name, place of business, and telephone number of the sun-screening material installation facility;

2. The name, business and residence address(es), driver's license number, social security number, and telephone number(s) of:

i. The owner and/or possessor of a controlling interest of the facility, in the case of a sole proprietorship;

ii. Each partner, in the case of a partnership; or

iii. Each officer, director, and possessor of a controlling interest, in the case of a corporation;

3. Whether the applicant has ever been found to be in violation of the Consumer Fraud Act (*N.J.S.A. 56:8-1 et seq.*) or any regulations adopted thereunder;

4. Whether the applicant has ever been denied, or had suspended or revoked, a license or registration to engage in any business, profession, or occupation licensed or registered under the laws of any state; and

5. Whether the applicant has any interest in any other sun-screening material installation facility or any motor vehicle-related business.

(c) Each initial application for a sun-screening material installation facility registration shall include the following:

1. The New Jersey Sales Tax Identification Number;
2. The New Jersey Unemployment Registration Number;
3. The Federal Employer Identification Number; and
4. The corporation code, if one has been issued by the Motor Vehicle Commission.

(d) Each initial application for a sun-screening material installation facility registration shall be accompanied by the registration fee specified in *N.J.A.C. 13:20-2.6(a)*.

(e) If there are multiple locations for sun-screening material installation facilities owned by the same applicant, a separate application, accompanying documents, and registration fee specified in *N.J.A.C. 13:20-2.6(a)* shall be submitted for each such place of business. A separate registration shall be issued for each such place of business.

(f) Upon preliminary approval of each initial registration application, a registration shall be issued to the sun-screening material installation facility. Each initial registration issued to a sun-screening material installation facility on or after the effective date of this subchapter shall be effective on the date of issuance and shall continue in force and effect until December 31, 2002, and shall, thereafter, be renewed on a biennial basis, unless such registration is suspended or revoked by the Chief Administrator.



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*N.J.A.C. 13:20-2.5 (2017)*

§ 13:20-2.5 Applicant qualification

Each applicant shall be at least 18 years old, and must have the legal capacity to contract, to be sued, and to be liable for all debts.

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*N.J.A.C. 13:20-2.6 (2017)*

§ 13:20-2.6 Registration fee

(a) Each initial application for a sun-screening material installation facility registration shall be accompanied by a registration fee of \$150.00 payable to the Motor Vehicle Commission.

(b) Each renewal application for a sun-screening material installation facility registration shall be accompanied by a registration fee of \$100.00 payable to the Motor Vehicle Commission.

(c) A registration fee shall be returned to an applicant only in the event that the Chief Administrator refuses to issue or renew a sun-screening material installation facility registration. Such registration fee, or any portion thereof, shall not be refunded to a registrant in the event that the sun-screening material installation facility registration is suspended or revoked pursuant to *N.J.S.A. 39:3-75.1* et seq. or this subchapter, or if a registrant voluntarily surrenders the registration at any time during the registration period.

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*N.J.A.C. 13:20-2.7 (2017)*

§ 13:20-2.7 Registration renewals

(a) Each registrant shall, no later than 30 days before the expiration of the registration, submit to the Director an application to renew its registration provided that such registrant is not prohibited from applying for a registration as specified in *N.J.A.C. 13:20-2.20*. An application to renew a sun-screening material installation facility registration may be obtained from the Motor Vehicle Sun Screening Material Installation Facility Registration Unit of the Division at the address specified in *N.J.A.C. 13:20-2.4(a)*.

(b) Each application to renew a sun-screening material installation facility registration shall be accompanied by the registration fee specified in *N.J.A.C. 13:20-2.6(b)*.

(c) Upon approval of each renewal application, a registration shall be issued to the sun-screening material installation facility. Each renewal registration issued to a sun-screening material installation facility after December 31, 2002 shall continue in force and effect for a period of two years unless such registration is suspended or revoked by the Director.

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*N.J.A.C. 13:20-2.8 (2017)*

§ 13:20-2.8 Surrender of registration

(a) Each sun-screening material installation facility registration, although issued and delivered to a registrant, shall at all times be the property of the State of New Jersey.

(b) Upon any suspension, revocation, refusal to renew or other termination of a sun-screening material installation facility registration, the registration shall no longer be in force and effect and the registration shall be surrendered forthwith upon demand of a Motor Vehicle Commission representative.

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*N.J.A.C. 13:20-2.9 (2017)*

§ 13:20-2.9 Responsibility of registrants

(a) In the case of a sole proprietorship, the owner and/or possessor of a controlling interest in the sun-screening material installation facility shall be responsible to the Chief Administrator for the conduct of the business of the facility and for all actions performed by his or her employees in connection with the business of the facility concerning violations of *N.J.S.A. 39:3-75.1* et seq. or this subchapter.

(b) In the case of a partnership or corporation, each partner, or corporate officer and/or director, or any person or entity possessing a controlling interest, as the case may be, shall be held individually and jointly responsible to the Chief Administrator for the conduct of the business of the facility and for all actions performed by its employees in connection with the business of the facility concerning violations of *N.J.S.A. 39:3-75.1* et seq. or this subchapter.

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*N.J.A.C. 13:20-2.10 (2017)*

§ 13:20-2.10 Deceptive practices concerning sun-screening material and product installation or application

Sun-screening material installation facilities shall be subject to the provisions of the Consumer Fraud Act (*N.J.S.A. 56:8-1 et seq.*) and any regulations adopted thereunder.

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*N.J.A.C. 13:20-2.11 (2017)*

§ 13:20-2.11 Notice and recordkeeping requirements

(a) Each registrant shall display a sign which shall read: "Registered: State of New Jersey Motor Vehicle Sun Screening Material Installation Facility." The sign shall include the registration number of the sun-screening material installation facility. The sign must contain letters at least two inches high with a stroke of approximately one-half inch and be located in a conspicuous location for the public to see.

(b) Every registration issued in accordance with this subchapter shall be prominently displayed in the office, waiting area, or other conspicuous location which is accessible to the public at the sun-screening material installation facility.

(c) Every registered sun-screening material installation facility shall post in a conspicuous location accessible to the public a "Notice to Consumers" concerning violations of *N.J.S.A. 39:3-75.1* et seq. and the fact that customers have a right to inspect the motor vehicle before paying for the sun-screening material or product installation or application. The notice shall be prepared and furnished by the Motor Vehicle Commission.

(d) Every registered sun-screening material installation facility shall maintain copies of all estimates, work orders, invoices, parts purchase orders, appraisals and/or other documents prepared by that facility for work performed by that facility or by its subcontractors.

1. Such copies shall be kept for at least four years and shall be available for inspection by the Chief Administrator, the Director of the Division of Consumer Affairs, or any person designated by them, during regular business hours.

2. Failure to permit such inspection shall subject the registrant to administrative action pursuant to this subchapter.

(e) Every sun-screening material installation facility shall, upon request of the Chief Administrator or any person designated by him or her, provide the Chief Administrator or his or her designee with a list of its employees in such form and detail as may be required by the Chief Administrator or his or her designee. Failure to provide such list when requested shall subject the registrant to administrative action pursuant to this subchapter.

(f) The registrant shall notify the Chief Administrator in writing within 10 days whenever any person acquires ownership or control of 10 percent or more of the stock of a sun-screening material installation facility, or whenever a person becomes a partner or limited partner in a sun-screening material installation facility.

(g) The registrant shall notify the Chief Administrator in writing within 30 days of any change in address of the sun-screening material installation facility or of any change in address of persons or entities required to be listed on the application by *N.J.A.C. 13:20-2.4*.

(h) The registrant shall notify the Chief Administrator in writing within 10 days whenever any person or entity required to be listed on the application by *N.J.A.C. 13:20-2.4* is no longer associated with the sun-screening material installation facility.

(i) All written notifications required by this subchapter shall be made by either personal delivery or sent by certified mail to the Motor Vehicle Sun-Screening Material Installation Facility Registration Unit of the Motor Vehicle Commission at the address specified in *N.J.A.C. 13:20-2.4(a)*.

(j) An amended application shall be filed by the registrant with the Chief Administrator when there is a substitution and/or addition of persons or entities required to be listed on the application by *N.J.A.C. 13:20-2.4*.

(k) Any process issued to a registrant pursuant to the statutory authority of the Chief Administrator including, but not limited to, subpoenas, orders, and orders to show cause, may be served upon a registrant or counsel of record, by sending said process by certified or ordinary mail, to the business address of the sun-screening material installation facility or to counsel's address on record with the Motor Vehicle Commission.



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*N.J.A.C. 13:20-2.12 (2017)*

§ 13:20-2.12 Advertising

(a) Any advertising used by the sun-screening material installation facility in any printed or published material shall contain and prominently display the registration number of the facility.

(b) Any advertising used by the sun-screening material installation facility in any radio broadcast shall disclose that the facility is registered by the State of New Jersey.

(c) Any advertising used by the sun-screening material installation facility in any television broadcast shall prominently display the registration number of the facility at the end of such broadcast.

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*N.J.A.C. 13:20-2.13 (2017)*

§ 13:20-2.13 Storage rates

Every sun-screening material installation facility which charges a per diem fee to store a motor vehicle on its premises shall disclose in writing, prior to initiating sun-screening material installation or application services, the amount of such storage charge to the customer.

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*N.J.A.C. 13:20-2.14 (2017)*

§ 13:20-2.14 Additional violations

(a) In addition to any violation of *N.J.S.A. 39:3-75.1* et seq., the Chief Administrator may refuse to issue or renew a registration or suspend or revoke the registration of any sun-screening material installation facility if he or she determines that the applicant or registrant:

1. Has made a false statement or concealed a fact in connection with the application for a registration or a renewal thereof; or
2. Is not the owner of, or possessor of a controlling interest in, the sun-screening material installation facility.

(b) In addition to any violation of *N.J.S.A. 39:3-75.1* et seq., the Chief Administrator may refuse to issue or renew a registration or suspend or revoke the registration of any sun-screening material installation facility if he or she determines that the applicant or registrant at any time following submission of the application for initial registration:

1. Has been found to be in violation of the Consumer Fraud Act (*N.J.S.A. 56:8-1* et seq.) or any regulations adopted thereunder;
2. Demonstrates a pattern of conduct whereby sun-screening material or product installation or application performed by the sun-screening material installation facility was not performed in a workmanlike manner or was performed in violation of the light transmittance, visible light reflectance, or color standards set forth in *N.J.A.C. 13:20-1.2* through *1.4*;
3. Issues a check in payment of any fees required by this subchapter which is subsequently dishonored;
4. Has failed to comply with any of the provisions of this subchapter;
5. Fails to maintain an approved place of business in accordance with *N.J.A.C. 13:20-2.4(b)1*;
6. Fails to pay any fee required by law or regulation;
7. Fails to notify the Chief Administrator in writing as required by *N.J.A.C. 13:20-2.11(e)*, (f), (g), or (h);
8. Has in its possession any motor vehicle, major motor vehicle component part or component part as defined in *N.J.S.A. 39:10B-1* or replacement parts on which the vehicle identification number or other identification affixed thereto in accordance with Federal theft prevention standards has been removed, altered, defaced, destroyed, or so covered as to be concealed; or
9. For other good cause.

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*N.J.A.C. 13:20-2.15 (2017)*

§ 13:20-2.15 Additional penalties

Where, pursuant to *N.J.S.A. 39:3-75.1* et seq. or any regulation adopted thereunder, the Chief Administrator has the authority to suspend, revoke, or refuse to renew the registration of a sun-screening material installation facility, the Chief Administrator shall also have the authority to impose an official warning as an alternative or in addition to such suspension, revocation, or refusal to renew.

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*N.J.A.C. 13:20-2.16 (2017)*

§ 13:20-2.16 Investigations

(a) The Chief Administrator, or any person designated by him or her, shall have the power to investigate and gather evidence of violations of *N.J.S.A. 39:3-75.1* et seq., or of any regulation adopted thereunder, by a sun-screening material installation facility.

(b) The Chief Administrator, or any person designated by him or her, shall have the power to conduct investigations, administer oaths, interrogate registrants, issue subpoenas, summonses and/or complaints, and compel witnesses to appear at any hearing.

(c) Except as set forth in *N.J.A.C. 13:20-2.11(k)*, subpoenas shall be served in the same manner, and witnesses shall be entitled to the same fees, as in the case of subpoenas issued out of the Superior Court of New Jersey.

(d) In the case of a failure of any person to comply with any subpoena issued pursuant to this subchapter or to testify with respect to any matter concerning which he or she may be lawfully interrogated, the Superior Court, on application of the Chief Administrator, may be requested to issue an order requiring the attendance of such person and the giving of testimony or production of evidence. Any person failing to obey the order of the court may be punished by the court for contempt.

(e) In addition to the authority set forth in (a) above, New Jersey State Police officers and Division of Consumer Affairs investigators are hereby authorized to enforce the provisions of this subchapter.

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*N.J.A.C. 13:20-2.17 (2017)*

§ 13:20-2.17 Written notice of suspension or revocation or refusal to issue or renew registration

(a) The Chief Administrator shall notify the applicant, in writing by certified mail, of any refusal to issue or renew a sun-screening material installation facility registration and the grounds thereof. Written notice shall be mailed to the applicant at the address listed on the application or to the place of business on record with the Motor Vehicle Commission.

(b) The Chief Administrator shall notify the registrant, in writing by certified mail, of any proposed suspension or revocation of the sun-screening material installation facility registration and the grounds thereof. Written notice shall be mailed to the place of business on record with the Motor Vehicle Commission. Unless the registrant files with the Chief Administrator a written request for a hearing in accordance with *N.J.A.C. 13:20-2.18*, the sun-screening material installation facility registration shall be suspended or revoked on the date specified in such notice.

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*N.J.A.C. 13:20-2.18 (2017)*

§ 13:20-2.18 Request for hearing

(a) If an applicant has been notified in accordance with *N.J.A.C. 13:20-2.17(a)* that the Chief Administrator refuses to issue or renew a sun-screening material installation facility registration, the applicant shall be entitled to an administrative hearing concerning such refusal provided that the applicant has filed and the Chief Administrator has received a written request for a hearing within 25 days. The 25-day period shall commence on the date such notice was mailed to the applicant by the Motor Vehicle Commission in accordance with *N.J.A.C. 13:20-2.17(a)*.

(b) If a registrant has been notified in accordance with *N.J.A.C. 13:20-2.17(b)* of a proposed suspension or revocation of its sun-screening material installation facility registration, the registrant shall be entitled to an administrative hearing concerning such proposed suspension or revocation provided that the registrant has filed and the Chief Administrator has received a written request for a hearing within 25 days. The 25-day period shall commence on the date such notice was mailed to the registrant by the Motor Vehicle Commission in accordance with *N.J.A.C. 13:20-2.17(b)*.

(c) Any written request for a hearing by an applicant or registrant shall be sent to the Motor Vehicle Sun-Screening Material Installation Facility Registration Unit of the Motor Vehicle Commission at the address specified in *N.J.A.C. 13:20-2.4(a)*. The hearing request shall contain the following information:

1. The name, registration number, place of business, and telephone number of the sun-screening material installation facility;
2. A concise statement of facts constituting each ground of defense;
3. A specific admission, denial, or explanation of each fact alleged by the Motor Vehicle Commission in its notice or order to show cause, or if without knowledge thereof, a statement to that effect; any allegation in the Commission's notice or order to show cause which is not answered in accordance with this paragraph shall be deemed to have been admitted; and
4. A statement requesting a hearing.

(d) If the applicant or registrant does not file a written request for a hearing in accordance with (a), (b), or (c) above, the suspension, revocation, or refusal to renew the sun-screening material installation facility registration shall be effective on the date specified in such notice. The sun-screening material installation facility shall cease all activities of the business of a sun-screening material installation facility effective on the date specified in such notice.

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*N.J.A.C. 13:20-2.19 (2017)*

§ 13:20-2.19 Hearing procedures

Any hearing concerning the suspension, revocation, or refusal to issue or renew a sun-screening material installation facility registration shall be conducted in accordance with the Administrative Procedure Act, *N.J.S.A. 52:14B-1* et seq., and the Uniform Administrative Procedure Rules, *N.J.A.C. 1:1*.



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*N.J.A.C. 13:20-2.20 (2017)*

§ 13:20-2.20 Limitations on issuance of registration after suspension, revocation, or refusal to re-  
new

(a) No person whose renewal application for a sun-screening material installation facility registration is refused shall be entitled to apply for a registration pursuant to this subchapter for a period of one year from the effective date of such refusal.

(b) No person whose registration is suspended or revoked shall be entitled to apply for a registration pursuant to this subchapter during the period of suspension or revocation.

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*N.J.A.C. 13:20-2.21 (2017)*

§ 13:20-2.21 Registration restoration

(a) A fee as set forth in *N.J.S.A. 39:3-10a* shall be payable to the Motor Vehicle Commission for the restoration of a sun-screening material installation facility registration which is suspended or revoked pursuant to *N.J.S.A. 39:3-75.1* et seq. or this subchapter. Such registration restoration fee shall be paid to the Motor Vehicle Commission before the registration may be restored.

(b) Each suspension or revocation of any sun-screening material installation facility registration, pursuant to *N.J.S.A. 39:3-75.1* et seq. or any regulation adopted thereunder, shall continue in force and effect until such registration is restored by the Chief Administrator.

(c) In the case of every suspension or revocation of a sun-screening material installation facility registration for a fixed period of time, the registrant, as a condition precedent to restoration, shall make application to the Chief Administrator, in such form as the Chief Administrator may determine, and pay the registration restoration fee specified in (a) above. The Chief Administrator may, upon notice and an opportunity to be heard, deny any application for restoration of a sun-screening material installation facility registration for good cause.