

CHAPTER 11
(CORRECTED COPY)

AN ACT exempting certain Office of Emergency Management members from federal commercial driver's licensing requirements and supplementing P.L.1989, c.164 (C.39:3-10j et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.39:3-10K1 Office of Emergency Management members, certain, exemption from federal commercial driver's licensing requirements.

1. a. A member of the State Office of Emergency Management or a county or municipal Office of Emergency Management shall not be subject to the requirements of the commercial licensing provisions of the federal "Commercial Motor Vehicle Safety Act," 49 U.S.C. s.31301 et seq., when operating any commercial motor vehicle or any emergency, rescue, or other motorized apparatus or equipment provided that:

(1) the operation of the vehicle, apparatus, or equipment is necessary to the preservation of life or property or the execution of emergency governmental functions;

(2) the vehicle, apparatus, or equipment operated is equipped with audible and visual signals and is not subject to normal traffic regulations; and

(3) the operation of the vehicle, apparatus, or equipment meets any other requirement set forth in 49 C.F.R. 383.3 (d)(2) or any other federal law, rule, or regulation establishing an exemption from the licensing provisions of the federal "Commercial Motor Vehicle Safety Act," 49 U.S.C. s.31301 et seq.

b. Notwithstanding the provisions of this section, an exemption shall not be granted if, to do so, the State would no longer be in a position of substantial compliance with the requirements of the federal "Commercial Motor Vehicle Safety Act," 49 U.S.C.s.31301 et seq.

c. The Chief Administrator of the New Jersey Motor Vehicle Commission may adopt any rules and regulations which may be necessary to effectuate the purposes of this act.

2. This act shall take effect immediately.

Approved January 25, 2013.