

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 630

STATE OF NEW JERSEY

DATED: MARCH 25, 1999

The Assembly Judiciary Committee reports favorably Assembly Bill No. 630.

This bill would upgrade the crime of simple assault to aggravated assault if the victim was a school bus driver, any motorbus operator or his supervisor, or any employee of a rail passenger service.

Specifically, this bill would amend subparagraph (d) of paragraph (5) of subsection b. of N.J.S.A.2C:12-1, the assault statute, to upgrade a simple assault against a school bus driver while clearly identifiable as being engaged in the performance of his duties or because of his status, to aggravated assault. This bill would also add a new subparagraph (g) to paragraph (5) of subsection b. of 2C:12-1 to upgrade a simple assault against any motorbus operator or his supervisor or any employee of a rail passenger service, while clearly identifiable as being engaged in the performance of their duties or because of their status, to aggravated assault.

Aggravated assault under paragraph (5) of subsection b. of N.J.S.A.2C:12-1 is a crime of the third degree if the victim suffers bodily injury; otherwise it is a crime of the fourth degree. A crime of the third degree is punishable by a maximum term of imprisonment of three to five years, a maximum fine of \$15,000 or both. A crime of the fourth degree is punishable by a maximum term of imprisonment not to exceed 18 months, a maximum fine of \$10,000 or both.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.