

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1462

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 1999

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1462.

This bill would upgrade the offense 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, the bill would amend subsection b. (5) 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. The bill would also add new language to 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 N.J.S.A.2C:12-1b.(5) is a crime of 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.

The amendments adopted by the committee clarified that the bill applies to both school bus drivers employed directly by school boards and to school bus drivers employed by private operators under contract to school boards to provide bus service. The committee also made technical amendments to update the bill in conformity with a recent enactment.