

ASSEMBLY, No. 4574

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED OCTOBER 15, 2018

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

SYNOPSIS

Requires provision in school transportation contracts for termination of contract for certain misconduct by school bus contractor; authorizes permanent debarment of certain school bus contractors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/30/2018)

1 AN ACT concerning school transportation and supplementing Title
2 18A of the New Jersey Statutes.

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

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7 1. a. Notwithstanding the provision of any other law, rule, or
8 regulation to the contrary, any contract for the transportation of
9 students that is entered into or renewed by an agency, school
10 district, board of education, or nonpublic school after the effective
11 date of P.L. , c. (C.) (pending before the Legislature as this
12 bill) shall include a provision that requires termination of the
13 contract if the school bus contractor:

14 (1) knowingly allows an individual to operate a school bus more
15 than 24 hours after the school bus contractor has received notice
16 that the individual is no longer authorized to operate a school bus
17 due to suspension or revocation of the individual's commercial
18 drivers license, passenger endorsement, or school bus endorsement;
19 or

20 (2) knowingly allows any other unauthorized individual to
21 operate a school bus, including, but not limited to, an individual
22 who does not possess a valid commercial drivers license, passenger
23 endorsement, or school bus endorsement.

24 b. The contract shall also include a provision requiring the
25 school bus contractor to pay for any increase in costs incurred by
26 the agency, school district, board of education, or nonpublic school
27 related to the provision of student transportation that arises out of
28 the termination of the contract.

29 The Commissioner of Education may permanently bar any
30 school bus contractor whose contract has been terminated pursuant
31 to this section from entering into future contracts concerning the
32 provision of student transportation. Any such bar shall be reserved
33 for repeated violations, except that the commissioner may bar a
34 school bus contractor under this section if a singular violation is
35 particularly egregious, at the discretion of the commissioner.

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37 2. This act shall take effect immediately.

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40 STATEMENT

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42 This bill requires contracts for student transportation to include a
43 provision that requires termination of the contract if the school bus
44 contractor knowingly allows an individual to operate a school bus
45 more than 24 hours after the school bus contractor has received
46 notice that the individual is no longer authorized to operate a school
47 bus due to suspension or revocation of the individual's commercial
48 drivers license, passenger endorsement, or school bus endorsement,

1 or allows any other unauthorized individual to operate a school bus,
2 including but not limited to, an individual who does not possess a
3 valid commercial drivers license, passenger endorsement, or school
4 bus endorsement. The contract is also required to include a
5 provision requiring the school bus contractor to pay for any increase
6 in costs incurred by the agency, school district, board of education,
7 or nonpublic school related to the provision of student
8 transportation that arises out of the termination of the contract

9 The bill also authorizes the Commissioner of Education to
10 permanently bar a school bus contractor from entering into future
11 contracts concerning the provision of student transportation if the
12 school bus contractor has multiple contracts that have been
13 terminated or if the school bus contractor commits a singular but
14 particularly egregious violation.