

[First Reprint]

ASSEMBLY, No. 4574

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED OCTOBER 15, 2018

Sponsored by:

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District 14 (Mercer and Middlesex)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

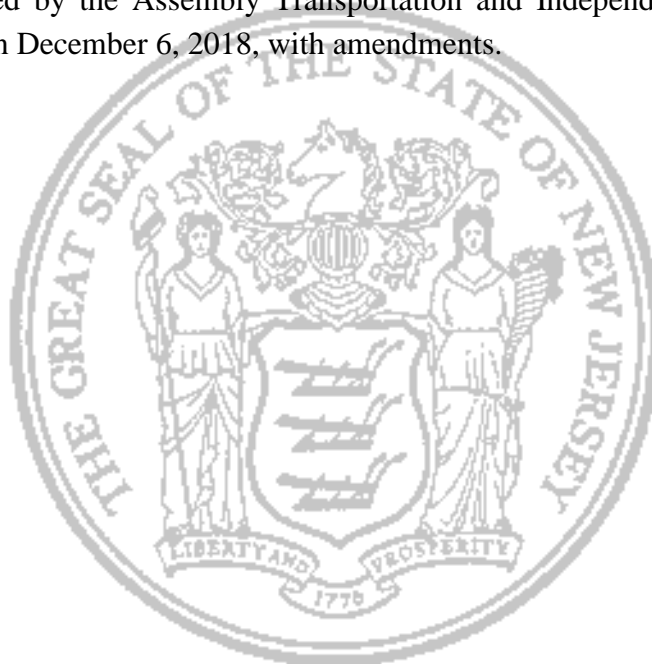
District 38 (Bergen and Passaic)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on December 6, 2018, with amendments.



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

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

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
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 ¹**["drivers"] driver**¹ license, passenger endorsement, or school bus
19 endorsement; 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 ¹**["drivers"] driver**¹ license,
23 passenger 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 ¹c.¹ The Commissioner of Education may ¹**["permanently"]**
30 **temporarily**¹ bar ¹, for a period not to exceed 120 days,¹ any school
31 bus contractor whose contract has been terminated pursuant to this
32 section from entering into ¹**["future"]**¹ contracts concerning the
33 provision of student transportation. Any such bar shall be reserved
34 for repeated violations, except that the commissioner may bar a
35 school bus contractor under this section if a singular violation is
36 particularly egregious, at the discretion of the commissioner.

37 ¹d. The Commissioner of Education shall adopt rules and
38 regulations concerning the temporary debarment of school bus
39 contractors pursuant to subsection c. of this section. The rules and
40 regulations shall provide due process to any school bus contractor
41 prior to a final determination of debarment, including the
42 establishment of a process by which a school bus contractor facing
43 debarment pursuant to subsection c. of this section may appeal that
44 determination.

EXPLANATION – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted December 6, 2018.

1 e. Any school bus contractor that has been barred from entering
2 into contracts concerning the provision of student transportation
3 pursuant to section c. of this section shall provide written notice of
4 that debarment to any agency, school district, board of education, or
5 nonpublic school during any subsequent bidding process or
6 contractual negotiation concerning the provision of student
7 transportation.¹

8

9 2. This act shall take effect immediately.