

ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO **ASSEMBLY, No. 4574**

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2018

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 4574.

As amended and reported, this bill requires contracts for student transportation to include a provision that requires termination of the contract if the school bus contractor knowingly allows an individual to operate a school bus more than 24 hours after the school bus contractor has received notice that the individual is no longer authorized to operate a school bus due to suspension or revocation of the individual's commercial driver license, passenger endorsement, or school bus endorsement, or knowingly allows any other unauthorized individual to operate a school bus, including but not limited to, an individual who does not possess a valid commercial driver license, passenger endorsement, or school bus endorsement. The contract is also required to include a provision requiring the school bus contractor to pay for any increase in costs incurred by the agency, school district, board of education, or nonpublic school related to the provision of student transportation that arises out of the termination of the contract.

The bill authorizes the Commissioner of Education (commissioner) to temporarily bar a school bus contractor from entering into future contracts concerning the provision of student transportation for a period not to exceed 120 days. The bill requires the commissioner to adopt rules and regulations concerning the temporary debarment of school bus contractors. The rules and regulations are to provide due process to any school bus contractor prior to a final determination of debarment, including the establishment of a process by which a school bus contractor facing debarment may appeal that determination.

The bill provides that any school bus contractor barred pursuant to the bill is required to provide written notice of that debarment to any agency, school district, board of education, or nonpublic school during any subsequent bidding process or contractual negotiation concerning the provision of student transportation.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove a provision that authorized the commissioner to permanently bar a school bus contractor from entering into future contracts concerning the provision of student transportation and replaced it with a provision that authorizes the commissioner to temporarily bar those school bus contractors for a period not to exceed 120 days. The amendments require the commissioner to adopt rules and regulations concerning the temporary debarment of school bus contractors. The rules and regulations are to provide due process to any school bus contractor prior to a final determination of debarment, including the establishment of a process by which a school bus contractor facing debarment may appeal that determination.

The amendments require any school bus contractor barred pursuant to the bill to provide written notice of that debarment to any agency, school district, board of education, or nonpublic school during any subsequent bidding process or contractual negotiation concerning the provision of student transportation.

The amendments also change the synopsis to reflect that the commissioner may temporarily bar a school bus contractor and to correct references in the bill to the commercial driver license.