

§§2,3 -
C.27:25-4.1 &
27:25-4.2
§§6-8,16 -
C.27:25-5.24 to
27:25-5.27
§17 - T&E

P.L. 2018, CHAPTER 162, *approved December 20, 2018*
Senate, No. 630 (*Third Reprint*)

1 AN ACT concerning reforms of the New Jersey Transit Corporation,
2 amending ³[P.L.1979, c.150, R.S.52:14-7, and R.S.52:24-4,]
3 various parts of the statutory law³ and supplementing P.L.1979,
4 c.150.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 ³[1. Section 4 of P.L.1979, c.150 (C.27:25-4) is amended to
10 read as follows:

11 4. a. There is hereby established in the Executive Branch of
12 the State Government the New Jersey Transit Corporation, a body
13 corporate and politic with corporate succession. For the purpose of
14 complying with the provisions of Article V, Section IV, paragraph 1
15 of the New Jersey Constitution, the corporation is hereby allocated
16 within the Department of Transportation, but, notwithstanding
17 **[said]** that allocation, the corporation shall be independent of any
18 supervision or control by the department or by any body or officer
19 thereof. The corporation is hereby constituted as an instrumentality
20 of the State exercising public and essential governmental functions,
21 and the exercise by the corporation of the powers conferred by this
22 act shall be deemed and held to be an essential governmental
23 function of the State.

24 b. The corporation shall be governed by a board which shall
25 consist of **[eight]** ¹**[12]** ¹³members, ¹each of whom shall be a
26 voting member¹.

27 **[Seven]** ¹**[11]** of the members shall be voting members and **[The**
28 board¹ shall consist of: the Commissioner of Transportation and the
29 State Treasurer, who shall be members ex officio, another member
30 of the Executive Branch to be selected by the Governor who shall
31 also serve ex officio, ¹two members appointed by the Governor
32 upon the recommendation of labor organizations, in accordance

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:

¹Senate STR committee amendments adopted March 12, 2018.

²Senate SBA committee amendments adopted June 4, 2018.

³Assembly AAP committee amendments adopted December 10, 2018.

1 with the provisions of this section,¹ and **four other** eight public
2 members who shall be appointed by the Governor**[,]** as follows:

3 **three** two¹ members ¹, with the advice and consent of the
4 Senate,¹ who shall each have experience as either a regular
5 corporation motorbus regular route service rider or regular
6 corporation rail passenger service or light rail service rider or have
7 a professional background in passenger rail service, freight rail
8 management, transportation capital planning, transportation and
9 public transportation capital construction, federal transportation
10 policy, State transportation policy, ¹real estate investment or
11 development,¹ human resources management, or transportation
12 capital finance, **one** upon the recommendation of the Tri-State
13 Transportation Campaign,¹ **one** upon the recommendation of ¹the
14 New Jersey members of the¹ Delaware Valley Regional Planning
15 Commission **[,]** and ¹**one** upon the recommendation of the North
16 Jersey Transportation Planning Authority:

17 two members **[,]**, each of whom has a professional background in
18 passenger rail service, freight rail management, transportation
19 capital planning, transportation and public transportation capital
20 construction, federal transportation policy, State transportation
21 policy, human resources management, or transportation capital
22 finance**]**, with the advice and consent of the Senate, one who shall
23 have experience as a regular corporation motorbus regular route
24 service rider and one who shall have experience as a regular
25 corporation rail passenger service or light rail service rider¹; and

26 ¹**three** members, each of whom shall have experience as a
27 regular corporation motorbus regular route service rider or as a
28 regular corporation rail passenger service or light rail service rider,
29 one of whom shall be appointed upon the recommendation of the
30 Senate President and one of whom shall be appointed upon the
31 recommendation of the Speaker of the General Assembly provided
32 that if the Senate President and Speaker of the General Assembly
33 both recommend motorbus regular route service riders then the third
34 member appointed by the Governor shall be a regular corporation
35 rail passenger service or light rail service rider and further provided
36 that if the Senate President and Speaker of the General Assembly
37 both recommend regular corporation rail passenger service or light
38 rail service riders then the third member appointed by the Governor
39 shall be a motorbus regular route service rider**]** four members, who
40 shall each have a professional background in passenger rail service,
41 freight rail management, transportation capital planning,
42 transportation and public transportation capital construction, federal
43 transportation policy, State transportation policy, real estate
44 investment or development, human resources management, or
45 transportation capital finance, one appointed by the Governor upon
46 the recommendation of the President of the Senate, one appointed

1 by the Governor upon the recommendation of the Speaker of the
 2 General Assembly, and two appointed by the Governor, with the
 3 advice and consent of the Senate¹.

4 All public members, except for those appointed upon the
 5 recommendation of the ¹【Senate】¹ President ¹of the Senate¹ and the
 6 Speaker of the General Assembly, shall be appointed with the
 7 advice and consent of the Senate, and all public members shall
 8 serve for four year staggered terms and until their successors are
 9 appointed and qualified provided, however, that a board member
 10 shall not serve beyond the expiration of that board member's term
 11 for more than 90 days following the expiration of the term unless
 12 reappointed. No more than **【two】** three of the six public members
 13 appointed by the Governor with the advice and consent of the
 14 Senate shall be members of the same political party. **【At least one**
 15 **public member shall be a regular public transportation rider.】** Each
 16 public member may be removed from office by the Governor for
 17 cause. A vacancy in the membership of the board occurring other
 18 than by expiration of term shall be filled in the same manner as the
 19 original appointment, but for the unexpired term only. **【The first**
 20 **appointments shall be for one, two, three and four years**
 21 **respectively, and thereafter for terms of four years as stated.】** The
 22 board shall annually designate a vice **【chairman】** chairperson and
 23 secretary. The secretary need not be a member.

24 There shall ¹**【also】**¹ be ¹**【one non-voting member】** two
 25 members¹ of the board, ¹**【** who shall not be considered in
 26 determining a quorum. The non-voting member shall be¹ one
 27 appointed by the Governor upon the recommendation of the labor
 28 organization representing the plurality of the employees of the
 29 corporation ¹involved in rail operations and one appointed by the
 30 Governor upon the recommendation of the labor organization
 31 representing the plurality of the employees of the corporation
 32 involved in motorbus operations¹. ¹**【The non-voting】** Each¹
 33 member ¹appointed upon recommendation of a labor organization¹
 34 shall be appointed for a term of four years, provided, however, that
 35 if at any time during the term of appointment the ¹**【non-voting】**¹
 36 member ceases to be affiliated with the labor organization
 37 representing the plurality of the ¹relevant segment of¹ employees of
 38 the corporation, then such labor organization may, thereupon or at
 39 any time thereafter during such term, recommend a new member to
 40 the Governor for appointment to serve the remainder of the term. If
 41 the local bargaining unit decertifies its existing union affiliation and
 42 certifies a new union, the union which represents the plurality of the
 43 ¹relevant segment of¹ employees may recommend a new member to
 44 the Governor for appointment to serve the remainder of the term.
 45 ¹**【The chairman of the board may, at the chairman's discretion,**
 46 **exclude such non-voting member from attending any portion of a**

1 board meeting or any other meeting held for the purpose of
 2 discussing negotiations with labor organizations, pending litigation
 3 involving the labor organization, the investigation, evaluation, or
 4 discipline of an employee of the corporation, or matters concerning
 5 private entities engaged in the provision of motorbus regular route
 6 service, paratransit service, or motorbus charter service that would
 7 otherwise not be considered public information. The non-voting]
 8 Each¹ member 'appointed upon recommendation of a labor
 9 organization¹ may be removed by the Governor for cause.

10 For the purposes of this subsection:

11 "experience as a regular corporation motorbus regular route
 12 service rider" includes any rider who is a regular corporation
 13 motorbus regular route service rider at the time of the member's
 14 appointment or reappointment and any rider who has been a regular
 15 corporation motorbus regular route service rider in three of the
 16 '[seven] five' years preceding the member's appointment or
 17 reappointment.

18 "experience as a regular corporation rail passenger service or
 19 light rail service rider" includes any rider who is a regular
 20 corporation rail passenger service or light rail service rider at the
 21 time of the member's appointment or reappointment and any rider
 22 who has been a regular corporation rail passenger service or light
 23 rail service rider in three of the '[seven] five' years preceding the
 24 member's appointment or reappointment.

25 c. Board members other than those serving ex officio shall
 26 serve without compensation, but members shall be reimbursed for
 27 actual expenses necessarily incurred in the performance of their
 28 duties.

29 d. The Commissioner of Transportation shall serve as
 30 [chairman] chairperson of the board [. He] , shall chair board
 31 meetings, and shall have responsibility for the scheduling and
 32 convening of all meetings of the board. In [his] the absence of the
 33 chairperson, the vice [chairman] chairperson shall chair the board
 34 meeting. Each ex officio member of the board may designate two
 35 employees of [his] the ex officio member's department or agency,
 36 one of whom may represent [him] the ex officio member at
 37 meetings of the board. A designee may lawfully vote and otherwise
 38 act on behalf of the member for whom [he] the person constitutes
 39 the designee. Any such designation shall be in writing delivered to
 40 the board and shall continue in effect until revoked or amended by
 41 writing delivered to the board.

42 e. The powers of the corporation shall be vested in the voting
 43 members of the board thereof and [four] '[six] seven' voting
 44 members of the board shall constitute a quorum at any meeting
 45 thereof. Actions may be taken and motions and resolutions adopted
 46 by the board at any meeting thereof by the affirmative vote of at
 47 least [four] '[six] seven' members. No vacancy in the

1 membership of the board shall impair the right of a quorum to
2 exercise all the rights and perform all the duties of the board.

3 f. A true copy of the minutes of every meeting of the board
4 shall be delivered forthwith, by and under the certification of the
5 secretary thereof, to the Governor. No action taken at such meeting
6 by the board shall have force or effect until approved by the
7 Governor or until 10 days after such copy of the minutes shall have
8 been delivered. If, in said 10-day period, the Governor returns such
9 copy of the minutes with veto of any action taken by the board or
10 any member thereof at such meeting, such action shall be null and
11 of no effect. The Governor may approve all or part of the action
12 taken at such meeting prior to the expiration of the said 10-day
13 period.

14 g. (1) The board meetings shall be subject to the provisions
15 of the "Senator Byron M. Baer Open Public Meetings Act,"
16 P.L.1975, c.231 (C.10:4-6 et seq.) ¹, except that any agenda related
17 to a meeting of the corporation's board of directors, including any
18 revised agenda, shall be provided to the public at least five calendar
19 days prior to the meeting and except that one-half of the total
20 number of meetings of the board shall be held in the evening after
21 6:00 p.m. Each notice of a board meeting and each agenda for a
22 board meeting shall be published on the corporation's website.
23 Board meetings shall be viewable on the corporation's website in
24 real time and shall be archived and made available to the public for
25 subsequent viewing on the corporation's website. Meeting minutes
26 shall be archived and published on the corporation's website¹.

27 (2) The board shall hold a minimum of 10 public board
28 meetings per year. Public hearings held pursuant to subsection d. of
29 section 8 of P.L.1979, c.150 (C.27:25-8) shall not be considered
30 public board meetings for the purposes of this subsection.

31 h. (1) ¹[A person shall not be eligible to serve on the board if
32 the person has contributed money or made any in-kind contribution
33 to any: candidate for political office; candidate committee; joint
34 candidate committee; political committee; continuing political
35 committee; political action committee; State, county, or municipal
36 party committee; legislative leadership committee; or any similar
37 committee in an amount or manner that would create the appearance
38 of impropriety, as determined by the State Ethics Commission.

39 (2)¹ Each board member shall annually disclose to the board
40 of directors and to the chief ethics officer any contributions made
41 within the preceding two years to¹¹ any candidate for political
42 office; candidate committee; joint candidate committee; political
43 committee; continuing political committee; political action
44 committee; State, county, or municipal party committee; legislative
45 leadership committee; or any similar committee.

1 ¹~~[(3)]~~ (2)¹ Each board member shall annually disclose to the
 2 board of directors and to the chief ethics officer any gifts received
 3 in excess of \$250.
 4 (cf: P.L.2009, c.179, s.1)³

5
 6 ³1. Section 4 of P.L.1979, c.150 (C.27:25-4) is amended to read
 7 as follows:

8 4. a. There is hereby established in the Executive Branch of
 9 the State Government the New Jersey Transit Corporation, a body
 10 corporate and politic with corporate succession. For the purpose of
 11 complying with the provisions of Article V, Section IV, paragraph 1
 12 of the New Jersey Constitution, the corporation is hereby allocated
 13 within the Department of Transportation, but, notwithstanding
 14 ~~【said】~~ that allocation, the corporation shall be independent of any
 15 supervision or control by the department or by any body or officer
 16 thereof. The corporation is hereby constituted as an instrumentality
 17 of the State exercising public and essential governmental functions,
 18 and the exercise by the corporation of the powers conferred by this
 19 act shall be deemed and held to be an essential governmental
 20 function of the State.

21 b. The corporation shall be governed by a board which shall
 22 consist of ~~【eight】~~ 13 members.

23 ~~【Seven】~~ 11 of the members shall be voting members and shall
 24 consist of: the Commissioner of Transportation and the State
 25 Treasurer, who shall be members ex officio, another member of the
 26 Executive Branch to be selected by the Governor who shall also
 27 serve ex officio, and ~~【four other】~~ eight public members who shall
 28 be appointed by the Governor~~【,】~~ as follows:

29 two members, with the advice and consent of the Senate, who
 30 shall each have experience as either a regular corporation motorbus
 31 regular route service rider or regular corporation rail passenger
 32 service or light rail service rider or have a professional background
 33 in passenger rail service, freight rail management, transportation
 34 capital planning, transportation and public transportation capital
 35 construction, federal transportation policy, State transportation
 36 policy, real estate investment or development, human resources
 37 management, or transportation capital finance, one upon the
 38 recommendation of the New Jersey members of the Delaware
 39 Valley Regional Planning Commission and one upon the
 40 recommendation of the North Jersey Transportation Planning
 41 Authority;

42 two members, with the advice and consent of the Senate, one
 43 who shall have experience as a regular corporation motorbus
 44 regular route service rider and one who shall have experience as a
 45 regular corporation rail passenger service or light rail service rider;
 46 and

1 four members, who shall each have a professional background in
2 passenger rail service, freight rail management, transportation
3 capital planning, transportation and public transportation capital
4 construction, federal transportation policy, State transportation
5 policy, real estate investment or development, human resources
6 management, communication, or transportation capital finance, one
7 appointed by the Governor upon the recommendation of the
8 President of the Senate, one appointed by the Governor upon the
9 recommendation of the Speaker of the General Assembly, and two
10 appointed by the Governor, with the advice and consent of the
11 Senate.

12 All public members, except for those appointed upon the
13 recommendation of the President of the Senate and the Speaker of
14 the General Assembly, shall be appointed by the Governor with the
15 advice and consent of the Senate, and all public members shall
16 serve for four year staggered terms and until their successors are
17 appointed and qualified. No more than **【two】** three of the six
18 public members appointed by the Governor with the advice and
19 consent of the Senate shall be members of the same political party.
20 **【At least one public member shall be a regular public transportation**
21 **rider.】** Each public member may be removed from office by the
22 Governor for cause. A vacancy in the membership of the board
23 occurring other than by expiration of term shall be filled in the same
24 manner as the original appointment, but for the unexpired term
25 only. **【The first appointments shall be for one, two, three and four**
26 **years respectively, and thereafter for terms of four years as stated.】**
27 The board shall annually designate a vice **【chairman】** chairperson
28 and secretary. The secretary need not be a member.

29 There shall **【also】** be **【one non-voting member】** two non-voting
30 members of the board, who shall not be considered in determining a
31 quorum. The non-voting **【member】** members shall be appointed as
32 follows: one appointed by the Governor upon the recommendation
33 of the labor organization representing the plurality of the employees
34 of the corporation involved in rail operations and one appointed by
35 the Governor upon the recommendation of the labor organization
36 representing the plurality of the employees of the corporation
37 involved in motorbus operations. **【The】** Each non-voting member
38 appointed upon recommendation of a labor organization shall be
39 appointed for a term of four years, provided, however, that if at any
40 time during the term of appointment the non-voting member ceases
41 to be affiliated with the labor organization representing the plurality
42 of the relevant segment of employees of the corporation, then such
43 labor organization may, thereupon or at any time thereafter during
44 such term, recommend a new member to the Governor for
45 appointment to serve the remainder of the term. If the local
46 bargaining unit decertifies its existing union affiliation and certifies
47 a new union, the union which represents the plurality of the relevant

1 segment of employees may recommend a new member to the
2 Governor for appointment to serve the remainder of the term. The
3 chairman of the board may, at the chairman's discretion, exclude
4 such non-voting member from attending any portion of a board
5 meeting or any other meeting held for the purpose of discussing
6 negotiations with labor organizations, pending litigation involving
7 the labor organization, the investigation, evaluation, or discipline of
8 an employee of the corporation, or matters concerning private
9 entities engaged in the provision of motorbus regular route service,
10 paratransit service, or motorbus charter service that would
11 otherwise not be considered public information. **【The】** Each non-
12 voting member appointed upon recommendation of a labor
13 organization may be removed by the Governor for cause.

14 For the purposes of this subsection:

15 “experience as a regular corporation motorbus regular route
16 service rider” includes any rider who is a regular corporation
17 motorbus regular route service rider at the time of the member’s
18 appointment or reappointment and any rider who has been a regular
19 corporation motorbus regular route service rider in three of the five
20 years preceding the member’s appointment or reappointment.

21 “experience as a regular corporation rail passenger service or
22 light rail service rider” includes any rider who is a regular
23 corporation rail passenger service or light rail service rider at the
24 time of the member’s appointment or reappointment and any rider
25 who has been a regular corporation rail passenger service or light
26 rail service rider in three of the five years preceding the member’s
27 appointment or reappointment.

28 c. Board members other than those serving ex officio shall
29 serve without compensation, but members shall be reimbursed for
30 actual expenses necessarily incurred in the performance of their
31 duties.

32 d. The Commissioner of Transportation shall serve as
33 **【chairman】** chairperson of the board **【. He】** , shall chair board
34 meetings, and shall have responsibility for the scheduling and
35 convening of all meetings of the board. In **【his】** the absence of the
36 chairperson, the vice **【chairman】** chairperson shall chair the board
37 meeting. Each ex officio member of the board may designate two
38 employees of **【his】** the ex officio member’s department or agency,
39 one of whom may represent **【him】** the ex officio member at
40 meetings of the board. A designee may lawfully vote and otherwise
41 act on behalf of the member for whom **【he】** the person constitutes
42 the designee. Any such designation shall be in writing delivered to
43 the board and shall continue in effect until revoked or amended by
44 writing delivered to the board.

45 e. The powers of the corporation shall be vested in the voting
46 members of the board thereof and **【four voting】** a majority of the
47 appointed members of the board who are authorized to vote shall

1 constitute a quorum at any meeting thereof. Actions may be taken
2 and motions and resolutions adopted by the board at any meeting
3 thereof by the affirmative vote of **[at least four]** a majority of the
4 appointed members who are authorized to vote. No vacancy in the
5 membership of the board shall impair the right of a quorum to
6 exercise all the rights and perform all the duties of the board.

7 f. A true copy of the minutes of every meeting of the board
8 shall be delivered forthwith, by and under the certification of the
9 secretary thereof, to the Governor. No action taken at such meeting
10 by the board shall have force or effect until approved by the
11 Governor or until 10 days after such copy of the minutes shall have
12 been delivered. If, in said 10-day period, the Governor returns such
13 copy of the minutes with veto of any action taken by the board or
14 any member thereof at such meeting, such action shall be null and
15 of no effect. The Governor may approve all or part of the action
16 taken at such meeting prior to the expiration of the said 10-day
17 period.

18 g. (1) The board meetings shall be subject to the provisions of
19 the "Senator Byron M. Baer Open Public Meetings Act," P.L.1975,
20 c.231 (C.10:4-6 et seq.), except that any agenda related to a meeting
21 of the corporation's board of directors shall be provided to the
22 public at least five calendar days prior to the meeting and except
23 that one-half of the total number of meetings of the board shall be
24 held in the evening after 6:00 p.m. Agendas may be revised up to
25 48 hours prior to the meeting in the case of emergencies requiring
26 immediate action. Each notice of a board meeting and each agenda
27 for a board meeting shall be published on the corporation's website.
28 Board meetings shall be viewable on the corporation's website in
29 real time and shall be archived and made available to the public for
30 subsequent viewing on the corporation's website. Meeting minutes
31 shall be archived and published on the corporation's website.

32 (2) The board shall hold a minimum of 10 public board
33 meetings per year. Public hearings held pursuant to subsection d. of
34 section 8 of P.L.1979, c.150 (C.27:25-8) shall not be considered
35 public board meetings for the purposes of this subsection.³

36 (cf: P.L.2009, c.179, s.1)

37
38 2. (New section) a. The board of directors of the corporation
39 shall:

40 (1) Execute ³**[direct]**³ oversight of the corporation's executive
41 director and other management in the effective and ethical
42 management of the corporation, including review and approval of
43 any ³**[quarterly changes to the schedules for]** fare changes and the
44 elimination or substantial curtailment of³ motorbus regular route
45 service, rail passenger service, or light rail service;

46 (2) Understand, review, and monitor the implementation of
47 fundamental financial and management controls and operational

1 decisions of the corporation, including review and approval of any
2 ³~~quarterly changes to the schedules for~~ fare changes and the
3 elimination or substantial curtailment of³ motorbus regular route
4 service, rail passenger service, or light rail service;

5 (3) Establish policies regarding the payment of salary,
6 compensation, and reimbursements to, and establish rules for the
7 time and attendance of, the executive director and management
8 ³~~consistent with State law~~ , provided that nothing in P.L. ,
9 c. (C.) (pending before the Legislature as this bill) shall be
10 construed to apply civil service rules and regulations to the
11 corporation³;

12 (4) Adopt a code of ethics, in consultation with the chief ethics
13 officer, applicable to each board member, officer, and employee
14 that, at a minimum, includes the applicable standards established by
15 State law;

16 (5) Require that the corporation establish written policies and
17 procedures on personnel including policies protecting employees
18 from retaliation for disclosing information concerning acts of
19 wrongdoing, misconduct, malfeasance, or other inappropriate
20 behavior by an employee of the corporation;

21 (6) Adopt a policy that provides guidelines for when it is
22 appropriate for the chief ethics officer to forward the results and
23 findings of a preliminary investigation conducted by the chief ethics
24 officer to the State Ethics Commission, Office of the Attorney
25 General, county prosecutor's office, or any other appropriate
26 agency for further investigation or action; ³~~and~~³

27 (7) Adopt a defense and indemnification policy and disclose
28 such ¹~~plan~~ policy¹ to any and all prospective board members ³;
29 and

30 (8) Adopt corporate bylaws, which shall be reviewed and
31 updated at least once every five years³.

32 b. (1) The members of the board shall perform each of their
33 duties as board members, including but not limited to those imposed
34 by this section, in good faith and with that degree of diligence, care,
35 and skill which an ordinarily prudent person in like position would
36 use under similar circumstances, and may take into consideration
37 the views and policies of any elected official or body, or other
38 person and ultimately apply independent judgment in the best
39 interest of the corporation, its mission, and the public.

40 (2) At the time that a board member takes and subscribes the
41 board member's oath of office, or within 60 days after the effective
42 date of P.L. , c. (C.) (pending before the Legislature as this
43 bill) if the board member has already taken and subscribed the
44 board member's oath of office, the board member shall execute an
45 acknowledgement, in a form developed by the corporation, in which
46 the board member shall, at a minimum:

1 (a) acknowledge that the board member understands that a
2 board member has ³[a fiduciary] an³ obligation to perform duties
3 and responsibilities to the best of the board member's abilities, in
4 good faith and with proper diligence and care, consistent with the
5 enabling compact, mission, and by-laws of the corporation and the
6 applicable laws of this State; and that the ³[fiduciary]³ duty to the
7 corporation is derived from and governed by its mission;

8 (b) acknowledge that the board member understands the board
9 member's duty of loyalty and care to the corporation and
10 commitment to the corporation's mission and the public interest;
11 and the board member's obligation to act in the best interests of the
12 corporation and the people whom the corporation serves;

13 (c) agree that a board member has an obligation to become
14 knowledgeable about the mission, purpose, functions,
15 responsibilities, and statutory duties of the corporation and, when
16 necessary, to make reasonable inquiry of management and others
17 with knowledge and expertise so as to inform the board member's
18 decisions;

19 (d) agree to exercise independent judgment on all matters before
20 the board;

21 (e) agree not to divulge confidential discussions and
22 confidential matters that come before the board for consideration or
23 action;

24 (f) agree to disclose to the board ³and the chief ethics officer³
25 any conflicts, or the appearance of a conflict, of a personal,
26 financial, ethical, or professional nature that could inhibit the board
27 member from performing the board member's duties in good faith
28 and with due diligence and care; and

29 (g) certify that the board member does not have any interest in,
30 financial or otherwise, direct or indirect, or engage in any business
31 or transaction or professional activity or incur any obligation of any
32 nature, which is in substantial conflict with the proper discharge of
33 the board member's duties in the public interest.

34 c. Individuals appointed to the board of directors shall
35 participate in training regarding their legal, ³[fiduciary,]³ financial,
36 and ethical responsibilities as directors of the corporation within six
37 months of appointment to the board. Board members shall
38 participate in continuing training as may be required to remain
39 informed of best practices ³[,] and³ regulatory ³[and statutory
40 changes relating to the effective oversight of the management and
41 financial activities of public authorities, and to adhere to the highest
42 standards of responsible governance] , legal, financial, and ethical
43 responsibilities and standards³.

44 d. No board member, including the chairperson, shall serve as
45 the corporation's executive director, chief financial officer, or hold
46 any senior management position while serving as a member of the
47 board.

1 e. ³(1)³ The board of directors shall ³[require that the
 2 members of the audit committee] establish an audit committee, to
 3 be comprised of not less than three members, who shall³ possess the
 4 necessary skills to understand the duties and functions of the
 5 committee, including having sufficient knowledge in the areas of
 6 finance and accounting. ³The audit committee shall meet on at least
 7 a quarterly basis.

8 (2) The audit committee shall review and monitor: the reliability
 9 of financial statements and the adequacy of financial controls; the
 10 results of any audit; and compliance with legal, regulatory, and
 11 ethical requirements. The audit committee shall have responsibility
 12 for supervising and reviewing the work of the internal audit
 13 department, which has responsibility for investigating fraud, waste
 14 and abuse within and affecting the agency.³

15 f. (1) The board of directors shall establish an ³[employee
 16 relations] administration³ committee to be comprised of not less
 17 than three independent members, ³[who shall constitute a majority
 18 on the committee, and]³ who shall possess the necessary skills to
 19 understand the duties and functions of the committee; provided,
 20 however, that in the event that a board has less than three
 21 independent members, the board may appoint non-independent
 22 members to the committee, provided that the independent members
 23 shall constitute a majority of the members of the committee. ³The
 24 administration committee shall meet on at least a quarterly basis.³

25 (2) The ³[employee relations] administration committee shall ³;
 26 advise the board of directors on financial matters, including, but not
 27 limited to, proposed budgets including the capital program, major
 28 expenditures of the corporation, and all financial policies;³ receive
 29 a ¹[monthly] ³[quarterly¹] bi-monthly³ report from the ³[director]
 30 head³ of the Office of Equal Opportunity and Affirmative Action,
 31 or any successor office, ³which shall also be provided to the
 32 executive director,³ regarding the activities of that office, including
 33 a summary of the ³[reports and] nature and number of the³
 34 complaints involving discrimination or harassment received by that
 35 office and any actions taken ³[or expected to be taken]³ by that
 36 office in response to ³[said reports or] those³ complaints ³[. The
 37 executive director shall be present at any committee meeting where
 38 such a report is provided.

39 (3) The employee relations committee shall] ³ receive a
 40 ¹[monthly] ³[quarterly¹] bi-monthly³ report from the director of
 41 the Human Resources Office, or any successor office, ³which shall
 42 also be provided to the executive director,³ regarding the activities
 43 of that office, including a summary of job vacancies, job postings,
 44 new employees, reclassification of job titles, retirements,
 45 terminations, disciplinary actions, and any other personnel

1 decisions ³]. The executive director shall be present at any
2 committee meeting where such a report is provided.

3 (4) The employee relations committee shall meet with
4 representatives of each labor organization representing employees
5 of the corporation and shall provide those representatives access to
6 the meetings of the committee, provided, however, that the
7 employee relations committee may exclude the labor organization
8 representatives and any other person that the committee deems
9 appropriate from any portion of a committee meeting or any other
10 meeting held by members of the committee for the purpose of
11 discussing negotiations with labor organizations, pending litigation,
12 the investigation, evaluation, or discipline of an employee of the
13 corporation, or any other matters that would otherwise not be
14 considered public information. The committee shall ³ ; and ³ meet at
15 least ³[twice]³ annually with representatives of ³[each] the³ labor
16 ³[organization] organizations³ representing employees of the
17 corporation. ³Reports shall not include any personally identifiable
18 information or personnel information protected under state or
19 federal law.³

20 g. ³(1) The board of directors shall establish an operations and
21 customer service committee, to be comprised of not less than three
22 independent members, who shall possess the necessary skills to
23 understand the duties and functions of the committee. The
24 operations and customer service committee shall meet at least on a
25 quarterly basis.

26 (2) The operations and customer service committee shall: advise
27 the board of directors on day to day operations and maintenance;
28 review vital statistics including on time performance, cost of
29 service, and service rationalization; review the corporation's service
30 plan and service standards; oversee fleet management plans,
31 strategic planning, and the corporation's business plan; and oversee
32 the corporation's customer service plan and statistics.

33 h. (1) The board of directors shall establish a capital planning
34 and privatization committee, to be comprised of not less than three
35 independent members, who shall possess the necessary skills to
36 understand the duties and functions of the committee. The capital
37 planning and privatization committee shall meet on at least a
38 quarterly basis.

39 (2) The capital planning and privatization committee shall:
40 review and monitor the status of capital projects including the
41 annual element of the corporation's five year capital program;
42 review the rationale for the capital program, its budgets and
43 schedule, and address fast tracking key projects; oversee the
44 development of fare policy and technology; and review real estate
45 transactions and route and service issues that affect private carriers
46 or other properties with which the corporation does business.

1 ¹ i.³ For the purposes of this section, an ³[independent member]
2 “independent member”³ is one who:

3 (1) is not, and in the past two years has not been, employed by
4 the corporation or an affiliate in an executive capacity;

5 (2) is not, and in the past two years has not been, employed by
6 an entity that received remuneration valued at more than \$15,000
7 for goods and services provided to the corporation or received any
8 other form of financial assistance valued at more than \$15,000 from
9 the corporation;

10 (3) is not a relative of an executive officer or employee in an
11 executive position of the corporation or an affiliate; and

12 (4) is not, and in the past two years has not been, a lobbyist
13 registered under a state or local law and paid by a client to influence
14 the management decisions, contract awards, rate determinations, or
15 any other similar actions of the corporation or an affiliate.

16 ³[h.] i.³ Notwithstanding the provisions of any ³[general,
17 special, or local] other³ law ³[, municipal charter, or ordinance]³ to
18 the contrary, the board shall not directly or indirectly, including
19 through any subsidiary, extend or maintain credit, arrange for the
20 extension of credit, or renew an extension of credit, in the form of a
21 personal loan to or for any officer, board member, or employee, or
22 equivalent thereof, of the corporation.

23

24 ¹[3. (New section) a. There is hereby established the North
25 Jersey Passenger Advisory Committee within the New Jersey
26 Transit Corporation for the purpose of providing advice, input, and
27 guidance to the corporation’s board of directors from customers of
28 the corporation who reside in North Jersey.

29 b. The committee shall:

30 (1) Provide advice, input, and guidance to the New Jersey
31 Transit Corporation board of directors on issues affecting the
32 corporation and customers of the corporation, particularly those
33 issues that affect services provided in the northern part of the State;

34 (2) Review proposals to be considered before the corporation’s
35 board of directors concerning fare increases, curtailment of
36 services, and expansion of services; and

37 (3) Review items listed on the agenda for meetings of the
38 corporation’s board of directors that would increase fares, curtail
39 services, or expand services and provide written feedback to the
40 board prior to the board meeting concerning those agenda items.

41 c. A member of the committee shall be required to:

42 (1) reside in one of the following counties: Bergen, Essex,
43 Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris,
44 Ocean, Passaic, Somerset, Sussex, Union, or Warren;

45 (2) be a regular corporation motorbus regular route service rider
46 or a regular corporation rail passenger service or light rail service
47 rider; and

- 1 (3) primarily use corporation motorbus regular route service,
2 rail passenger service, or light rail service in the northern part of the
3 State.
- 4 d. The committee shall consist of 10 voting members, who
5 shall serve a term of four years and without compensation, to be
6 appointed as follows:
- 7 (1) three members to be appointed by the board of the North
8 Jersey Transportation Planning Authority;
- 9 (2) one member to be appointed by the Governor;
- 10 (3) one member to be appointed by the Speaker of the General
11 Assembly;
- 12 (4) one member to be appointed by the President of the Senate;
- 13 (5) one member to be appointed by the Minority Leader of the
14 General Assembly;
- 15 (6) one member to be appointed by the Minority Leader of the
16 Senate;
- 17 (7) one member to be appointed by a nonprofit entity, which
18 shall be selected jointly by the Speaker of the General Assembly
19 and the President of the Senate, with a history of rider advocacy,
20 encouraging smart growth, and advocating for investment in public
21 transportation and transit-oriented development initiatives; and
- 22 (8) one member to be appointed by a nonprofit entity, which
23 shall be selected jointly by the Speaker of the General Assembly
24 and the President of the Senate, that serves as a consumer rail
25 passenger organization in the State.
- 26 e. The powers of the committee shall be vested in the members
27 of the committee and six members shall constitute a quorum at any
28 meeting thereof. Actions may be taken and motions and resolutions
29 adopted by the committee at any meeting thereof by the affirmative
30 vote of six members. The seat of any member who fails to maintain
31 the requirements established in subsection c. of this section shall be
32 deemed vacant. A vacancy in the membership of the committee
33 shall not impair the right of a quorum to exercise all rights and
34 perform all duties of the committee. Any vacancy in the
35 membership of the committee shall be filled in the same manner as
36 the original appointment and for the remainder of the unexpired
37 term.
- 38 f. The committee shall elect from among its members a
39 chairperson and vice chairperson. The chairperson shall preside
40 over meetings of the committee. In the absence of the chairperson,
41 the vice chairperson shall preside over meetings of the committee.
42 The chairperson shall have the responsibility of scheduling and
43 convening all meetings of the committee. The committee shall
44 designate an individual to serve as secretary to the committee who
45 need not be a member of the committee.
- 46 g. A person serving as a member of the South Jersey Passenger
47 Advisory Committee shall not be eligible to simultaneously serve as
48 a member of the North Jersey Passenger Advisory Committee. **】¹**

- 1 ¹4. (New section) a. There is hereby established the South
2 Jersey Passenger Advisory Committee within the New Jersey
3 Transit Corporation for the purpose of providing advice, input, and
4 guidance to the corporation's board of directors from customers of
5 the corporation who reside in South Jersey.
- 6 b. The committee shall:
- 7 (1) Provide advice, input, and guidance to the New Jersey
8 Transit Corporation board of directors on issues affecting the
9 corporation and customers of the corporation, particularly those
10 issues that affect services provided in the southern part of the State;
- 11 (2) Review proposals to be considered before the corporation's
12 board of directors concerning fare increases, curtailment of
13 services, and expansion of services; and
- 14 (3) Review items listed on the agenda for meetings of the
15 corporation's board of directors that would increase fares, curtail
16 services, or expand services and provide written feedback to the
17 board prior to the board meeting concerning those agenda items.
- 18 c. A member of the committee shall be required to:
- 19 (1) reside in one of the following counties: Atlantic, Burlington,
20 Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, or
21 Salem;
- 22 (2) be a regular corporation motorbus regular route service rider
23 or a regular corporation rail passenger service or light rail service
24 rider; and
- 25 (3) primarily use corporation motorbus regular route service,
26 rail passenger service, or light rail service in the southern part of the
27 State.
- 28 d. The committee shall consist of 10 voting members, who
29 shall serve a term of four years and without compensation, to be
30 appointed as follows:
- 31 (1) two members to be appointed by the board members of the
32 Delaware Valley Regional Planning Commission from New Jersey;
- 33 (2) one member to be appointed by the Governor;
- 34 (3) one member to be appointed by the Speaker of the General
35 Assembly;
- 36 (4) one member to be appointed by the President of the Senate;
- 37 (5) one member to be appointed by the Minority Leader of the
38 General Assembly;
- 39 (6) one member to be appointed by the Minority Leader of the
40 Senate;
- 41 (7) one member to be appointed by the board of the South
42 Jersey Transportation Planning Organization;
- 43 (8) one member to be appointed by a nonprofit transportation
44 management association, which shall be selected jointly by the
45 Speaker of the General Assembly and the President of the Senate,
46 that provides transportation-related services in the southern portion
47 of the State; and

(9) one member to be appointed by a nonprofit entity, which shall be selected jointly by the Speaker of the General Assembly and the President of the Senate, that serves as a consumer rail passenger organization in the State.

e. The powers of the committee shall be vested in the members of the committee and six members shall constitute a quorum at any meeting thereof. Actions may be taken and motions and resolutions adopted by the committee at any meeting thereof by the affirmative vote of six members. The seat of any member who fails to maintain the requirements established in subsection c. of this section shall be deemed vacant. A vacancy in the membership of the committee shall not impair the right of a quorum to exercise all rights and perform all duties of the committee. Any vacancy in the membership of the committee shall be filled in the same manner as the original appointment and for the remainder of the unexpired term.

f. The committee shall elect from among its members a chairperson and vice chairperson. The chairperson shall preside over meetings of the committee. In the absence of the chairperson, the vice chairperson shall preside over meetings of the committee. The chairperson shall have the responsibility of scheduling and convening all meetings of the committee. The committee shall designate an individual to serve as secretary to the committee who need not be a member of the committee.

g. A person serving as a member of the North Jersey Passenger Advisory Committee shall not be eligible to simultaneously serve as a member of the South Jersey Passenger Advisory Committee.】¹

¹3. (New section) a. ³【The board of directors for the corporation shall appoint members of any advisory committee established pursuant to subsection m. of section 5 of P.L.1979, c.150 (C.27:25-5). Each advisory committee shall consist of county and municipal government representatives and concerned citizens, in the number and for such terms as may be fixed by the board, except that no committee shall have fewer than nine members or greater than 15 members. Members of an advisory committee shall be selected upon a merit-based application process established by the board of directors and the membership shall ensure representation of senior citizen, disabled, minority, and low income populations. At least two members of each advisory committee shall have experience as a regular corporation motorbus regular route service rider and at least two members of each advisory committee shall have experience as a regular corporation rail passenger service or light rail service rider, as those terms are defined pursuant to section 4 of P.L.1979, c.150 (C.27:25-4).

b. Each advisory committee shall conduct at least two public hearings per year in two different counties within its geographical

1 limits in order to gather information from interested parties and the
2 general public.

3 c. Each advisory committee shall issue an annual report of its
4 activities and recommendations and provide that report to the board
5 of directors.¹]

6 (1) There is hereby established the North Jersey Passenger
7 Advisory Committee within the New Jersey Transit Corporation for
8 the purpose of providing advice, input, and guidance to the
9 corporation and the corporation's board of directors from customers
10 of the corporation who reside in North Jersey. The committee shall:
11 provide advice, input, and guidance to the New Jersey Transit
12 Corporation and its board of directors on issues affecting the
13 corporation and customers of the corporation, particularly those
14 issues that affect services provided in the northern part of the State;
15 review proposals to be considered before the corporation's board of
16 directors concerning fare increases, curtailment of services, and
17 expansion of services; and review items listed on the agenda for
18 meetings of the corporation's board of directors that would increase
19 fares, curtail services, or expand services and provide written
20 feedback to the board prior to the board meeting concerning those
21 agenda items.

22 (2) A member of the committee shall be required to: reside in
23 one of the following counties: Bergen, Essex, Hudson, Hunterdon,
24 Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset,
25 Sussex, Union, or Warren; and either be a regular corporation
26 motorbus regular route service rider or a regular corporation rail
27 passenger service or light rail service rider; and primarily use
28 corporation motorbus regular route service, rail passenger service,
29 or light rail service in the northern part of the State, or have
30 substantial public transportation experience.

31 (3) The committee shall consist of 15 voting members, who
32 shall serve a term of four years and without compensation, to be
33 appointed as follows:

34 three members to be appointed by the board of the North Jersey
35 Transportation Planning Authority;

36 six members to be appointed by the Governor;

37 one member to be appointed by the Speaker of the General
38 Assembly;

39 one member to be appointed by the President of the Senate;

40 one member to be appointed by the Minority Leader of the
41 General Assembly;

42 one member to be appointed by the Minority Leader of the
43 Senate;

44 one member to be appointed by a nonprofit entity, which shall be
45 selected jointly by the Speaker of the General Assembly and the
46 President of the Senate, with a history of rider advocacy,
47 encouraging smart growth, and advocating for investment in public
48 transportation and transit-oriented development initiatives; and

1 one member to be appointed by a nonprofit entity, which shall be
2 selected jointly by the Speaker of the General Assembly and the
3 President of the Senate, that serves as a consumer rail passenger
4 organization in the State.

5 (4) The powers of the committee shall be vested in the members
6 of the committee and a majority of the appointed members shall
7 constitute a quorum at any meeting thereof. Actions may be taken
8 and motions and resolutions adopted by the committee at any
9 meeting thereof by the affirmative vote of a majority of the
10 appointed members. The seat of any member who fails to maintain
11 the requirements established in paragraph (2) of this subsection
12 shall be deemed vacant. A vacancy in the membership of the
13 committee shall not impair the right of a quorum to exercise all
14 rights and perform all duties of the committee. Any vacancy in the
15 membership of the committee shall be filled in the same manner as
16 the original appointment and for the remainder of the unexpired
17 term.

18 (5) The committee shall elect from among its members a
19 chairperson and vice chairperson. The chairperson shall preside
20 over meetings of the committee. In the absence of the chairperson,
21 the vice chairperson shall preside over meetings of the committee.
22 The chairperson shall have the responsibility of scheduling and
23 convening all meetings of the committee. The committee shall
24 designate an individual to serve as secretary to the committee who
25 need not be a member of the committee.

26 b. (1) There is hereby established the South Jersey Passenger
27 Advisory Committee within the New Jersey Transit Corporation for
28 the purpose of providing advice, input, and guidance to the
29 corporation and the corporation's board of directors from customers
30 of the corporation who reside in South Jersey. The committee shall:
31 provide advice, input, and guidance to the New Jersey Transit
32 Corporation and its board of directors on issues affecting the
33 corporation and customers of the corporation, particularly those
34 issues that affect services provided in the southern part of the State;
35 review proposals to be considered before the corporation's board of
36 directors concerning fare increases, curtailment of services, and
37 expansion of services; and review items listed on the agenda for
38 meetings of the corporation's board of directors that would increase
39 fares, curtail services, or expand services and provide written
40 feedback to the board prior to the board meeting concerning those
41 agenda items.

42 (2) A member of the committee shall be required to: reside in
43 one of the following counties: Atlantic, Burlington, Camden, Cape
44 May, Cumberland, Gloucester, Mercer, Ocean, or Salem; and either
45 be a regular corporation motorbus regular route service rider or a
46 regular corporation rail passenger service or light rail service rider;
47 and primarily use corporation motorbus regular route service, rail

1 passenger service, or light rail service in the southern part of the
2 State, or have substantial public transportation experience.

3 (3) The committee shall consist of 15 voting members, who
4 shall serve a term of four years and without compensation, to be
5 appointed as follows:

6 two members to be appointed by the board members of the
7 Delaware Valley Regional Planning Commission from New Jersey;

8 six members to be appointed by the Governor;

9 one member to be appointed by the Speaker of the General
10 Assembly;

11 one member to be appointed by the President of the Senate;

12 one member to be appointed by the Minority Leader of the
13 General Assembly;

14 one member to be appointed by the Minority Leader of the
15 Senate;

16 one member to be appointed by the board of the South Jersey
17 Transportation Planning Organization;

18 one member to be appointed by a nonprofit transportation
19 management association, which shall be selected jointly by the
20 Speaker of the General Assembly and the President of the Senate,
21 that provides transportation-related services in the southern portion
22 of the State; and

23 one member to be appointed by a nonprofit entity, which shall be
24 selected jointly by the Speaker of the General Assembly and the
25 President of the Senate, that serves as a consumer rail passenger
26 organization in the State.

27 (4) The powers of the committee shall be vested in the members
28 of the committee and a majority of the appointed members shall
29 constitute a quorum at any meeting thereof. Actions may be taken
30 and motions and resolutions adopted by the committee at any
31 meeting thereof by the affirmative vote of a majority of the
32 appointed members. The seat of any member who fails to maintain
33 the requirements established in paragraph (2) of this subsection
34 shall be deemed vacant. A vacancy in the membership of the
35 committee shall not impair the right of a quorum to exercise all
36 rights and perform all duties of the committee. Any vacancy in the
37 membership of the committee shall be filled in the same manner as
38 the original appointment and for the remainder of the unexpired
39 term.

40 (5) The committee shall elect from among its members a
41 chairperson and vice chairperson. The chairperson shall preside
42 over meetings of the committee. In the absence of the chairperson,
43 the vice chairperson shall preside over meetings of the committee.
44 The chairperson shall have the responsibility of scheduling and
45 convening all meetings of the committee. The committee shall
46 designate an individual to serve as secretary to the committee who
47 need not be a member of the committee.

1 c. A person serving as a member of the South Jersey Passenger
 2 Advisory Committee shall not be eligible to simultaneously serve as
 3 a member of the North Jersey Passenger Advisory Committee. A
 4 person serving as a member of the North Jersey Passenger Advisory
 5 Committee shall not be eligible to simultaneously serve as a
 6 member of the South Jersey Passenger Advisory Committee.

7 d. One public member from the corporation's board of
 8 directors shall serve as a liaison to each advisory committee.³

10 ¹**[5.]** 4.¹ Section 5 of P.L.1979, c.150 (C.27:25-5) is
 11 amended to read as follows:

12 5. In addition to the powers and duties conferred upon it
 13 elsewhere in this act, the corporation may do all acts necessary and
 14 reasonably incident to carrying out the objectives of this act,
 15 including but not in limitation thereof the following:

16 a. Sue and be sued;

17 b. Have an official seal and alter the same at pleasure;

18 c. Make and alter bylaws for its organization and internal
 19 management and for the conduct of its affairs and business;

20 d. Maintain an office at such place or places within the State as
 21 it may determine;

22 e. Adopt, amend and repeal such rules and regulations as it
 23 may deem necessary to effectuate the purposes of this act, which
 24 shall have the force and effect of law; it shall publish the same and
 25 file them in accordance with the "Administrative Procedure Act,"
 26 P.L.1968, c.410 (C.52:14B-1 et seq.) with the Director of the Office
 27 of Administrative Law;

28 f. Call to its assistance and avail itself of the service of such
 29 employees of any federal, State, county or municipal department or
 30 agency as it may require and as may be available to it for said
 31 purpose;

32 g. Apply for, accept and expend money from any federal, State,
 33 county or municipal agency or instrumentality and from any private
 34 source ³as gifts, grants, or loans³; comply with federal statutes,
 35 rules and regulations, and qualify for and receive all forms of
 36 financial assistance available under federal law to assure the
 37 continuance of, or for the support or improvement of public
 38 transportation and as may be necessary for that purpose to enter into
 39 agreements, including federally required labor protective
 40 agreements;

41 h. Plan, design, construct, equip, operate, improve ³**[and]** ³
 42 maintain, ³and, through the New Jersey Transportation Trust Fund
 43 Authority, finance³ either directly or by contract with any public or
 44 private entity, public transportation services, capital equipment and
 45 facilities or any parts or functions thereof, and other transportation
 46 projects, or any parts or functions thereof, which may be funded
 47 under section 3 of the federal Urban Mass Transportation Act of

1 1964, Pub.L.88-365 (49 U.S.C. s.1602), or any successor or
 2 additional federal act having substantially the same or similar
 3 purposes or functions; the operation of the facilities of the
 4 corporation, by the corporation or any public or private entity, may
 5 include appropriate and reasonable limitations on competition in
 6 order that maximum service may be provided most efficiently to the
 7 public;

8 i. Apply for and accept, from appropriate regulatory bodies,
 9 authority to operate public transportation services where necessary;

10 j. Purchase, lease as lessee, or otherwise acquire, own, hold,
 11 improve, use and otherwise deal in and with real or personal
 12 property, or any interest therein, from any public or private entity,
 13 wherever situated;

14 k. Lease as lessor, sell or otherwise dispose of on terms which
 15 the corporation may prescribe, real and personal property, including
 16 tangible or intangible property and consumable goods, or any
 17 interest therein, to any public or private entity, in the exercise of its
 18 powers and the performance of its duties under this act. In order to
 19 provide or encourage adequate and efficient public transportation
 20 service, the corporation may lease or otherwise permit the use or
 21 occupancy of property without cost or at a nominal rental;

22 l. Restrict the rights of persons to enter upon or construct any
 23 works in or upon any property owned or leased by the corporation,
 24 except under such terms as the corporation may prescribe; perform
 25 or contract for the performance of all acts necessary for the
 26 management, maintenance and repair of real or personal property
 27 leased or otherwise used or occupied pursuant to this act;

28 m. Establish one or more operating divisions as deemed
 29 necessary ³**[.]**³ **[Upon the establishment of an operating division,**
 30 **there shall be established a geographically coincident advisory**
 31 **committee to be appointed by the Governor with the advice and**
 32 **consent of the Senate. The committee shall consist of county and**
 33 **municipal government representatives and concerned citizens, in the**
 34 **number and for such terms as may be fixed by the corporation, and**
 35 **shall advise the corporation as to the public transportation service**
 36 **provided in the operating division. At least two members of each**
 37 **advisory committee shall be public transportation riders, including**
 38 **but not limited to urban transit users and suburban commuters as**
 39 **appropriate]** ¹**[Each operating division shall solicit advice and**
 40 **feedback from the North Jersey Passenger Advisory Committee**
 41 **established pursuant to section 3 of P.L. , c. (C.) (pending**
 42 **before the Legislature as this bill) and the South Jersey Passenger**
 43 **Advisory Committee established pursuant to section 4 of**
 44 **P.L. , c. (C.) (pending before the Legislature as this bill),**
 45 **as appropriate]** ³**[Upon the establishment of an operating division,**
 46 **there shall be established a geographically coincident advisory**
 47 **committee, whose members are selected by the board of directors**
 48 **and whose staff services are provided by the corporation. The**

1 committee shall advise the corporation as to the public
2 transportation service provided in the operating division. The board
3 of directors shall review recommendations and solicit written input
4 from each advisory committee prior to the adoption of any proposed
5 fare increase, curtailment of services, or expansion of services¹.
6 One public member from the board of the corporation shall serve as
7 a liaison to each advisory committee³;

8 n. Set and collect fares and determine levels of service for
9 service provided by the corporation either directly or by contract
10 including, but not limited to, such reduced fare programs as deemed
11 appropriate by the corporation; revenues derived from such service
12 may be collected by the corporation and shall be available to the
13 corporation for use in furtherance of any of the purposes of this act;

14 o. Set and collect rentals, fees, charges or other payments from
15 the lease, use, occupancy or disposition of properties owned or
16 leased by the corporation; such revenues shall be available to the
17 corporation for use in furtherance of any of the purposes of this act;

18 p. Deposit corporate revenues in interest bearing accounts or in
19 the State of New Jersey Cash Management Fund established
20 pursuant to section 1 of P.L.1977, c.281 (C.52:18A-90.4);

21 q. Delegate to subordinate officers of the corporation such
22 powers and duties as the corporation shall deem necessary and
23 proper to carry out the purposes of this act;

24 r. ³(1)³ Procure and enter into contracts for any type of
25 insurance and indemnify against loss or damage to property from
26 any cause, including loss of use and occupancy, against death or
27 injury of any person, against employees' liability, against any act of
28 any member, officer, employee or servant of the corporation,
29 whether part-time, full-time, compensated or noncompensated, in
30 the performance of the duties of his office or employment or any
31 other insurable risk. In addition, the corporation may carry its own
32 liability insurance and may also establish and utilize a wholly-
33 owned insurance subsidiary or captive provided the subsidiary or
34 captive is domiciled in the United States in a state which is
35 accredited by the National Association of Insurance Commissioners
36 and which licenses and regulates wholly-owned insurance
37 subsidiaries or captives; ³and

38 (2) Pursuant to paragraph (1) of this subsection, the
39 corporation's chief of procurement is authorized to reach an
40 agreement to defend and indemnify a person against claims, causes
41 of action, demands, costs or judgments against that person arising
42 as a direct result of that person's contract with the corporation,
43 upon the terms and limitations the chief deems reasonable and
44 appropriate. An agreement to defend and indemnify pursuant to
45 this subsection shall not bar, reduce, limit or affect any remedies
46 which the corporation may have to enforce the corporation's
47 agreement or to assert a claim for damages to which the corporation
48 may be entitled arising out of the person's failure to perform the

1 agreement, or for the recovery of funds expended for the defense of
2 a person if the defense was undertaken in response to a claim or
3 cause of action brought against the person which is proven to have
4 arisen from gross negligence, willful misconduct, fraud, intentional
5 tort, bad faith, or criminal conduct. No one other than the person
6 who is party to the agreement with the corporation may enforce any
7 agreement for defense or indemnification between that person and
8 the corporation.³

9 s. Promote the use of public transportation services, coordinate
10 ticket sales and passenger information and sell, lease or otherwise
11 contract for advertising in or on the equipment or facilities of the
12 corporation;

13 t. Adopt and maintain employee benefit programs for
14 employees of the corporation including, but not limited to, pension,
15 deferred compensation, medical disability, and death benefits, and
16 which programs may utilize insurance contracts, trust funds, and
17 any other appropriate means of providing the stipulated benefits,
18 and may involve new plans or the continuation of plans previously
19 established by entities acquired by the corporation;

20 u. Own, control, vote, and exercise any and all other rights
21 incidental to the ownership of any equity, membership interest, or
22 any shares of the capital stock of any incorporated entity acquired ,
23 formed, incorporated, or established by law by the corporation
24 pursuant to the powers granted by this act ¹]. Any such corporate
25 entity may be utilized in order to enable the corporation to
26 participate with other private or public entities in any transaction,
27 memorandum of understanding, undertaking, or arrangement that
28 the corporation would have the power to conduct by itself, whether
29 or not such participation involves sharing or delegation of control
30 with or to other public or private entities regarding the ownership,
31 operation, control, and management of services, equipment, or
32 facilities. For purposes of this subsection, “corporate entity” means
33 any business entity, including but not limited to, any corporation,
34 limited liability company, joint venture, limited partnership, general
35 partnership, association of any kind, or collaborative arrangement
36 that may be jointly owned by the corporation and any other public
37 or private entities that provide public transportation services.]^{1 3}.
38 Any such corporate entity may be utilized in order to enable the
39 corporation to participate with other private or public entities in any
40 transaction, memorandum of understanding, undertaking, or
41 arrangement that the corporation would have the power to conduct
42 by itself, whether or not such participation involves sharing or
43 delegation of control with or to other public or private entities
44 regarding the ownership, operation, control, and management of
45 services, equipment, or facilities. For purposes of this subsection,
46 “corporate entity” means any business entity, including but not
47 limited to, any corporation, limited liability company, joint venture,
48 limited partnership, general partnership, association of any kind, or

1 collaborative arrangement that may be jointly owned by the
2 corporation and any other public or private entities that provide
3 public transportation services³;

4 v. Enter into any and all agreements or contracts, execute any
5 and all instruments, and do and perform any and all acts or things
6 necessary, convenient or desirable for the purposes of the
7 corporation, or to carry out any power expressly or implicitly given
8 in this act;

9 w. Notwithstanding the provisions of section 17 of P.L.1979,
10 c.150 (C.27:25-17) or any other law to the contrary, (1) issue
11 operating grant anticipation notes which shall be secured and retired
12 from operating assistance grants authorized under section 9 of the
13 federal Urban Mass Transportation Act of 1964, Pub.L.88-365 (49
14 U.S.C. s.1602), or any successor or additional federal act having
15 substantially the same or similar purposes or functions and (2) issue
16 capital grant anticipation notes which shall be secured and retired
17 from capital assistance grants authorized under section 3 or section
18 9 of the federal Urban Mass Transportation Act of 1964, Pub.L.88-
19 365 (49 U.S.C. s.1602), or any successor or additional federal act
20 having substantially the same or similar purposes or functions. As
21 used in this subsection, "operating grant anticipation notes" or
22 "capital grant anticipation notes" (hereinafter referred to as "notes")
23 means credit obligations issued in anticipation of these grants.

24 ³**[The]** All grant anticipation³ notes shall be authorized by a
25 resolution or resolutions of the corporation, and may be issued in
26 one or more series and shall bear the date, or dates, bear interest at
27 the rate or rates of interest per annum, be in the denomination or
28 denominations, be in the form, carry the conversion or registration
29 privileges, have the rank or priority, be executed in such manner as
30 the resolution or resolutions require. The notes may be sold at
31 public or private sale at the price or prices and in the manner that
32 the corporation determines. The notes of the corporation, the sale or
33 transfer thereof, and the income derived therefrom by the
34 purchasers of the notes, shall, at all times, be free from taxation for
35 State or local purposes, under any law of the State or any political
36 subdivision thereof. Notes may be issued under the provisions of
37 P.L.1979, c.150 (C.27:25-1 et seq.) without obtaining the consent of
38 any department, division, commission, board, bureau or agency of
39 the State, and without any other proceedings, conditions, or things
40 which are specifically required by P.L.1979, c.150 (C.27:25-1 et
41 seq.). The notes issued pursuant to P.L.1979, c.150 (C.27:25-1 et
42 seq.) shall not in any way create or constitute any indebtedness,
43 liability or obligation of the State or of any political subdivision
44 thereof or of the corporation, except as provided herein.

45 The ³grant anticipation³ notes shall be payable solely from (1)
46 note proceeds, to the extent not disbursed to the corporation, (2)
47 grant payments if, as, and when received from the federal
48 government, and (3) investment earnings on note proceeds, to the

1 extent not disbursed to the corporation. Each note shall contain on
 2 its face a statement to the effect that the corporation is obligated to
 3 pay the principal thereof or the interest thereon only from these
 4 grants to the corporation and from the proceeds of the notes and
 5 investment earnings on the proceeds of the notes, to the extent not
 6 disbursed to the corporation, and that neither the faith and credit nor
 7 the taxing power of the State or of any political subdivision thereof
 8 or of the corporation is pledged to the payment of the principal and
 9 interest on these notes. Neither the members of the corporation's
 10 board nor any person executing the transactions are personally
 11 liable on those notes nor are they otherwise liable for their actions ³.
 12 Subject to any agreement with the debtholders, the corporation may
 13 invest moneys of the corporation not required for immediate use,
 14 including proceeds from the sale of any notes, in such obligations,
 15 securities and other investments as the corporation shall deem
 16 prudent³; ²[and]²

17 x. Enter into agreements with a public or private entity or
 18 consortia thereof to provide for the development of demonstration
 19 projects through the use of public-private partnerships pursuant to
 20 sections 1 through 9 of P.L.1997, c.136 (C.27:1D-1 through
 21 C.27:1D-9) ²; ³[and]³

22 y. ³[Prior to the approval of any contract listed on a board
 23 agenda, issue and publish on the corporation's website a statement
 24 which (1) certifies that the contract complies with all provisions of
 25 current law, (2) certifies that services provided under the contract
 26 meet or exceed a standard of quality that would be provided by
 27 regular corporation employees, (3) provides a comparison of
 28 contract costs with the cost of providing the service through regular
 29 corporation employees for any proposed contract service that was
 30 previously being provided by regular corporation employees, (4)
 31 certifies that the designated bidder has no adjudicated record of
 32 substantial or repeated willful noncompliance with any relevant
 33 federal or state regulatory statute concerning labor relations,
 34 occupational safety and health, non-discrimination and affirmative
 35 action, environmental protection, and conflicts of interests, (5)
 36 certifies that the contract is in the public interest, and (6) certifies
 37 that the contract conforms to the provisions of any applicable
 38 collective bargaining agreement²] Enter into agreements with a
 39 public or private entity or consortia thereof to provide for the
 40 development of projects through the use of public-private
 41 partnerships. All building construction projects under a public-
 42 private partnership agreement entered into pursuant to this
 43 subsection shall contain a project labor agreement, unless the
 44 federal government or a court of competent jurisdiction determines
 45 that requiring such an agreement would violate federal law or
 46 regulation, or including such an agreement would preclude the
 47 corporation from receiving federal funding for the project. Project

1 labor agreements shall be subject to the provisions of P.L.2002,
2 c.44 (C.52:38-1 et seq.); and

3 z. To employ and retain legal counsel at the corporation's
4 discretion, including choosing representation by the Attorney
5 General³.

6 (cf: P.L.2004, c.1, s.1)

7
8 ¹**[6.]** ³**[5.¹** Section 8 of P.L.1979, c.150 (C.27:25-8) is
9 amended to read as follows:

10 8. a. The corporation or any subsidiary thereof shall not be
11 considered a public utility as defined in R.S.48:2-13, and except
12 with regard to subsection c. of this section, subsection b. of
13 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1), and
14 R.S.48:12-152, the provisions of Title 48 of the Revised Statutes
15 shall not apply to the corporation or any subsidiary thereof.

16 b. The authority hereby given to the corporation pursuant to
17 section 6 of P.L.1979, c.150 (C.27:25-6) with respect to fares and
18 service, shall be exercised without regard or reference to the
19 jurisdiction formerly vested in the Department of Transportation
20 regarding rates and rate schedules under R.S.48:2-21;
21 discontinuance, curtailment, or abandonment of service under
22 R.S.48:2-24; and the issuance of a certificate of public convenience
23 and necessity under R.S.48:4-3, and transferred to the New Jersey
24 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al.).
25 The New Jersey Motor Vehicle Commission shall resume
26 jurisdiction over service and fares upon the termination and
27 discontinuance of a contractual relationship between the corporation
28 and a private or public entity relating to the provision of public
29 transportation services operated under the authority of certificates
30 of public convenience and necessity previously issued by the New
31 Jersey Motor Vehicle Commission or its predecessors; provided,
32 however, that a private entity shall not be required to restore any
33 service discontinued or any fare changed during the existence of a
34 contractual relationship with the corporation, unless the New Jersey
35 Motor Vehicle Commission shall determine, after notice and
36 hearing, that the service or fare is required by public convenience
37 and necessity.

38 c. Notwithstanding any other provisions of P.L.1979, c.150
39 (C.27:25-1 et seq.), all vehicles used by any public or private entity
40 pursuant to contract authorized by P.L.1979, c.150 (C.27:25-1 et
41 seq.), and all vehicles operated by the corporation directly, shall be
42 subject to the jurisdiction of the department with respect to
43 maintenance, specifications, and safety to the same extent that
44 jurisdiction is conferred upon the department by Title 48 of the
45 Revised Statutes.

46 d. (1) Before implementing **[any fare increase for any**
47 **motorbus regular route or rail passenger services, or any]** the

1 substantial curtailment or abandonment of **【those】** motorbus regular
2 route or rail passenger services, the corporation shall hold **【a public**
3 hearing in the area affected during evening hours, except that the
4 corporation shall not be required to hold a public hearing for a
5 change in service that does not: (1) increase fares; (2) eliminate a
6 current motorbus regular route or any rail passenger service; or (3)
7 change the time of a motorbus regular route or rail passenger
8 service by more than two hours from the corporation's currently
9 adopted schedule or timetable, so long as these services are
10 provided at least three times daily, excluding holidays】 at least two
11 public hearings in the affected counties, within one-half mile of the
12 route and, to the extent practicable, near each terminus of the route.
13 At least one of the two hearings shall take place on a State working
14 day. Each public hearing shall be attended by at least two members
15 of the corporation's board of directors. Each public hearing in an
16 affected county shall consist of two sessions, the first of which shall
17 be for at least two hours in the afternoon between 2:00 p.m. and
18 6:00 p.m. and the second of which shall take place in the evening in
19 the same place and on the same day for at least two hours between
20 6:00 p.m. and 10:00 p.m.

21 (2) Before implementing any fare increase for any motorbus
22 regular route or rail passenger services, at least 10 public hearings
23 shall be held and shall be distributed geographically throughout the
24 State. Not more than one hearing shall take place in each county,
25 and each hearing shall be located within one-quarter mile of both a
26 rail passenger service line and a motorbus regular route. At least
27 half of the hearings shall take place on State working days. Each
28 public hearing shall be attended by at least two members of the
29 corporation's board of directors. Each public hearing in an affected
30 county shall consist of two sessions, the first of which shall be for
31 at least two hours in the afternoon between 2:00 p.m. and 6:00 p.m.
32 and the second of which shall take place in the evening in the same
33 place and on the same day for at least two hours between 6:00 p.m.
34 and 10:00 p.m.

35 **【Notice】** For the hearings required under paragraphs (1) and (2)
36 of this subsection, notice of the hearing shall be given by the
37 corporation at least 15 days prior to the hearing to the governing
38 body of each county whose residents will be affected and to the
39 clerk of each municipality in the county or counties whose residents
40 will be affected; the notice shall also be posted at least 15 days prior
41 to the hearing in prominent places on the railroad cars and buses
42 serving the routes to be affected. In addition to the public hearing,
43 the corporation shall post, in prominent places on the railroad cars
44 and buses serving the routes to be affected, a postal mailing address
45 and electronic mailing address where members of the public may
46 provide written comments to the corporation regarding the proposed
47 fare increase or substantial curtailment or abandonment of service.
48 The corporation shall prepare and publish a written response

1 concerning any issue or concern raised by a member of the public at
2 any public hearing or in any written comment provided pursuant to
3 this subsection.

4 e. Notice of its intent to discontinue, substantially curtail, or
5 abandon any motorbus regular route service or rail passenger
6 service shall be given by the corporation to the governing body of
7 each county whose residents will be affected and to the clerk of
8 each municipality in the county or counties whose residents will be
9 affected at least 45 days prior to implementation of the change in
10 service.

11 f. For the purposes of this section, “substantial curtailment”
12 and “substantially curtail” shall include, but need not be limited to:
13 the elimination of a motorbus regular route, scheduled trip, or
14 scheduled stop along a motorbus regular route or of a rail passenger
15 service line, scheduled trip, or scheduled stop along a rail passenger
16 service line; a reduction of 30 minutes or more in the beginning or
17 end of service for the corporation’s adopted schedule or timetable
18 for a scheduled stop along a motorbus regular route or rail
19 passenger service line; and any change to a motorbus regular route
20 or rail passenger service which may increase barriers to
21 accessibility for a person with disabilities.

22 (cf: P.L.2016, c.52, s.1)J³

23
24 ³5. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read
25 as follows:

26 8. a. The corporation or any subsidiary thereof shall not be
27 considered a public utility as defined in R.S.48:2-13, and except
28 with regard to subsection c. of this section, subsection b. of
29 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1), and
30 R.S.48:12-152, the provisions of Title 48 of the Revised Statutes
31 shall not apply to the corporation or any subsidiary thereof.

32 b. The authority hereby given to the corporation pursuant to
33 section 6 of P.L.1979, c.150 (C.27:25-6) with respect to fares and
34 service, shall be exercised without regard or reference to the
35 jurisdiction formerly vested in the Department of Transportation
36 regarding rates and rate schedules under R.S.48:2-21;
37 discontinuance, curtailment, or abandonment of service under
38 R.S.48:2-24; and the issuance of a certificate of public convenience
39 and necessity under R.S.48:4-3, and transferred to the New Jersey
40 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al.).
41 The New Jersey Motor Vehicle Commission shall resume
42 jurisdiction over service and fares upon the termination and
43 discontinuance of a contractual relationship between the corporation
44 and a private or public entity relating to the provision of public
45 transportation services operated under the authority of certificates
46 of public convenience and necessity previously issued by the New
47 Jersey Motor Vehicle Commission or its predecessors; provided,
48 however, that a private entity shall not be required to restore any

1 service discontinued or any fare changed during the existence of a
2 contractual relationship with the corporation, unless the New Jersey
3 Motor Vehicle Commission shall determine, after notice and
4 hearing, that the service or fare is required by public convenience
5 and necessity.

6 c. Notwithstanding any other provisions of P.L.1979, c.150
7 (C.27:25-1 et seq.), all vehicles used by any public or private entity
8 pursuant to contract authorized by P.L.1979, c.150 (C.27:25-1 et
9 seq.), and all vehicles operated by the corporation directly, shall be
10 subject to the jurisdiction of the department with respect to
11 maintenance, specifications, and safety to the same extent that
12 jurisdiction is conferred upon the department by Title 48 of the
13 Revised Statutes.

14 d. (1) Before implementing **any** fare increase for any
15 motorbus regular route or rail passenger services, or any **the**
16 substantial curtailment or abandonment of **those** rail passenger
17 services, the corporation shall hold **a** public hearing in the area
18 affected during evening hours, except that the corporation shall not
19 be required to hold a public hearing for a change in service that
20 does not: (1) increase fares; (2) eliminate a current motorbus regular
21 route or any rail passenger service; or (3) change the time of a
22 motorbus regular route or rail passenger service by more than two
23 hours from the corporation's currently adopted schedule or
24 timetable, so long as these services are provided at least three times
25 daily, excluding holidays **at least two public hearings in the area**
26 affected, as close as possible to the highest trafficked stop on the
27 route. At least one of the two hearings shall take place on a State
28 working day. One hearing shall take place for at least two hours
29 between the hours of 9:00 a.m. and 5:00 p.m., and the other hearing
30 shall take place for at least two hours between the hours of 6:00
31 p.m. and 10:00 p.m. Before implementing the substantial
32 curtailment or abandonment of motorbus regular route services, the
33 corporation shall hold at least one public hearing in the area
34 affected, as close as possible to the highest trafficked station on the
35 route. Each public hearing required pursuant to this paragraph shall
36 be attended by at least two members of the corporation's board of
37 directors.

38 (2) Before implementing any fare increase for any motorbus
39 regular route or rail passenger services, at least 10 public hearings
40 shall be held and shall be distributed geographically throughout the
41 State. Not more than one hearing required pursuant to this
42 paragraph shall take place in each county, and each hearing shall be
43 located as close as possible to both a rail passenger service line and
44 a motorbus regular route. At least half of the hearings required
45 pursuant to this paragraph shall take place on State working days.
46 Five of the hearings shall take place for at least two hours between
47 the hours of 9:00 a.m. and 5:00 p.m., and the other five hearings

1 shall take place for at least two hours between the hours of 6:00
2 p.m. and 10:00 p.m. Each public hearing required pursuant to this
3 paragraph shall be attended by at least two members of the
4 corporation's board of directors.

5 **【Notice】** For the hearings required under paragraphs (1) and (2)
6 of this subsection, notice of the hearing shall be given by the
7 corporation at least 15 days prior to the hearing to the governing
8 body of each county whose residents will be affected and to the
9 clerk of each municipality in the county or counties whose residents
10 will be affected; the notice shall also be posted at least 15 days prior
11 to the hearing in prominent places on the railroad cars and buses
12 serving the routes to be affected. In addition to the public hearing,
13 the corporation shall post, in prominent places on the railroad cars
14 and buses serving the routes to be affected, a postal mailing address
15 and electronic mailing address where members of the public may
16 provide written comments to the corporation regarding the proposed
17 fare increase or substantial curtailment or abandonment of service.
18 The corporation shall prepare and publish a written response
19 concerning any issue or concern raised by a member of the public at
20 any public hearing or in any written comment provided pursuant to
21 this subsection.

22 e. **【Notice of its intent to discontinue, curtail, or abandon any**
23 **motorbus regular route service or rail passenger service shall be**
24 **given by the corporation to the governing body of each county**
25 **whose residents will be affected and to the clerk of each**
26 **municipality in the county or counties whose residents will be**
27 **affected at least 45 days prior to implementation of the change in**
28 **service】** Public hearings shall be concluded at least seven days
29 prior to final action by the board.

30 f. For the purposes of this section, “substantial curtailment”
31 and “substantially curtail” shall mean a change in service that: (1)
32 discontinues or abandons all service on an entire bus route, rail line,
33 or light rail line; (2) discontinues or abandons all service on a
34 portion of a bus route, rail line, or light rail line that represents
35 more than 25 percent of the route or line's miles; provided however
36 that “substantial curtailment” or “substantially curtail” shall not
37 mean the discontinuance or abandonment of a portion of a route or
38 line's service if alternate service is available by existing duplicative
39 service that is provided by the corporation or another transit
40 provider or by transfer to another route with a comparable level of
41 service; (3) discontinues all service on a particular day or days of
42 the week for an entire bus route, rail line, or light rail line, or on a
43 portion of a bus route, rail line, or light rail line that represents
44 more than 25 percent of the route or line's miles; (4) reduces
45 service on a regular bus route or light rail line in a way that the
46 headway on the peak service increases by more than 50 percent, or
47 that more than doubles the non-peak headway; (5) reduces service
48 on a rail line in a way that reduces the amount of total service on

1 the line by more than 25 percent or reduces service on a rail line
 2 during peak hours in a way that reduces the total number of daily
 3 trips provided during peak hours; (6) completely closes an existing
 4 bus terminal, rail station, or light rail station; or (7) reduces service
 5 that would change the span of service on a rail line, regular bus
 6 route or light rail line by two hours or more during non-peak hours
 7 or reduces the span of service during peak hours by more than 20
 8 minutes.

9 For the purposes of this section, a temporary change in service
 10 lasting two weeks or less, and where service returns to the regularly
 11 scheduled service within two weeks of the start of the change, shall
 12 not constitute “substantial curtailment,” but shall require public
 13 notice for all temporary changes and, for temporary changes where
 14 the impact to riders is significant, alternate provision of service.

15 g. Nothing contained herein shall prevent the corporation from
 16 taking any action necessary to address emergency or exigent
 17 circumstances, provided that if such action constitutes a substantial
 18 curtailment under this section, the corporation shall hold public
 19 hearings as soon as practicable. The corporation shall explain to the
 20 public the reasons for the emergency at the hearing, and shall take
 21 public input concerning the impacts of the emergency on riders.
 22 The corporation shall take the public testimony into account when
 23 determining alternate service measures to mitigate the impact of the
 24 substantial curtailment.³

25 (cf: P.L.2016, c.52, s.1)

26
 27 ¹**[7.] 6.**¹ (New section) a. The State Auditor shall conduct
 28 audits of the corporation, which shall:

29 (1) occur at least once every 72 months in a manner that is
 30 consistent with the Government Auditing Standards for audits
 31 utilized by the United States Government Accountability Office or
 32 its successor, the first of which shall be completed within 12
 33 months of the effective date of P.L. , c. (C.) (pending
 34 before the Legislature as this bill);

35 (2) to the extent practicable, not duplicate the scope of work of
 36 the annual audit required to be made of the corporation’s financial
 37 statements pursuant to subsection d. of section 20 of P.L.1979,
 38 c.150 (C.27:25-20); and

39 (3) focus on a specific area of the corporation’s operations, as
 40 determined by the State Auditor.

41 b. (1) At least once every five years, the corporation shall
 42 hire an independent firm to: conduct a study on the financial
 43 management practices and budget reporting practices of mass transit
 44 agencies throughout the country; and prepare a report with findings
 45 regarding the best practices for financial management and budget
 46 reporting by mass transit agencies and a comparison of those best
 47 practices with the practices and policies of the corporation.

1 (2) The first such report shall be issued within 24 months of the
2 effective date of P.L. , c. (C.) (pending before the
3 Legislature as this bill). Each report shall be submitted to the
4 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
5 19.1), to the Legislature.

6 (3) The corporation shall adopt any best practices included in
7 the report within six months of the issuance of any report issued
8 pursuant to subsection b. of this section. Upon the affirmative vote
9 of seven members of the board of directors, the corporation may opt
10 not to adopt individual policies or practices that are in line with the
11 best practices of mass transit agencies throughout the country. If
12 the corporation exercises this option, the corporation shall provide a
13 detailed explanation of why adoption of that policy or practice is
14 not in the best interest of the corporation.

15
16 ¹**[8.] 7.**¹ (New section) a. The corporation, at the request of the
17 chairperson of any standing legislative committee, as approved by
18 the Speaker of the General Assembly or the President of the Senate,
19 as appropriate, shall be required to appear before that committee to
20 present testimony and provide documents on any topic or subject
21 requested by the committee and to respond to any questions by
22 members of the committee.

23 b. Unless otherwise agreed to by the chairperson of the
24 committee, the corporation shall, at a minimum, be represented by
25 the chairperson of the board of directors, the executive director, and
26 the chief financial officer ³**],** and any staff deemed necessary by the
27 chairperson of the board, executive director, or chief financial
28 officer³ to present testimony, provide documents, or respond to
29 questions at any appearance required pursuant to this section.
30 ³**[The chairperson of the legislative committee may require the**
31 **appearance of any officer or employee of the corporation.]**³

32
33 ¹**[9.] 8.**¹ (New section) a. The corporation shall employ a chief
34 ethics officer who shall be provided staff, equipment, and resources,
35 as the board deems appropriate, in order to investigate allegations
36 and suspicions of unethical conduct or ³**[criminal] illegal**³ activity
37 within the corporation and to determine whether the corporation is
38 in compliance with applicable State law. The chief ethics officer
39 shall operate independently of the executive director and shall
40 report directly to the board of directors. The executive director
41 shall not have any role in hiring, firing, disciplining, or directing the
42 chief ethics officer.

43 b. The chief ethics officer shall ³**]:**

44 (1) be responsible for receiving and conducting preliminary
45 investigations of all complaints regarding fraud, waste, abuse, and
46 corruption by board members, officers, and employees of the
47 corporation or third-parties doing business with the corporation;

(2) be responsible for conducting preliminary investigations, sua sponte, regarding all suspected fraud, waste, abuse, and corruption by board members, officers, and employees of the corporation or third-parties doing business with the corporation;

(3) provide reports to the board of directors containing the results and findings of each preliminary investigation conducted pursuant to paragraphs (1) and (2) of this subsection;

(4) where appropriate, as determined by a policy to be adopted by the board of directors, forward the results and findings of a preliminary investigation conducted pursuant to paragraphs (1) and (2) of this subsection to the State Ethics Commission, Office of the Attorney General, county prosecutor's office, or any other appropriate agency for further investigation or action; and

(5) ¹establish a whistleblower access and assistance program which shall include, but not be limited to: establishing toll-free telephone and facsimile lines available to employees; offering advice regarding employee rights under applicable state and federal laws and advice and options available to all persons; and offering an opportunity for employees to identify concerns regarding any issue at the corporation.

¹[10.] ³[9.¹ Section 20 of P.L.1979, c.150 (C.27:25-20) is amended to read as follows:

20. a. The corporation shall, by September 15 of each year, file with the Commissioner of Transportation a report in such format and detail as the Commissioner may require setting forth the actual, operational, capital and financial results of the previous fiscal year, the operational, capital and financial plan for the current fiscal year and a proposed operational, capital and financial plan for the next ensuing fiscal year.

b. On or before October 31 of each year, the corporation shall make an annual report of its activities for the preceding fiscal year to the Governor ~~and to the presiding officers and the Transportation Committees of both Houses of the Legislature~~, the President of the Senate, the Speaker of the General Assembly, and the Assembly Transportation and Independent Authorities Committee and the Senate Transportation Committee, or their successor committees. Each such report shall set forth a complete operating and financial statement covering its operations and capital projects during the year. The report shall also include an account of the on-time performance of rail passenger service, including light rail service, operated by, or under contract to, the corporation, including data for each such passenger line. The report shall provide a detailed discussion of the methodology used by the corporation in measuring on-time performance. The report shall include certain personnel information of employees of the corporation, including the average salary, number of employees in management positions, and number of employees that are not in

1 management positions in key demographic groups, which shall
2 include, at minimum, race, ethnicity, and gender. 'The report shall
3 include certain accident information for accidents that occurred
4 during the previous year which involved a rail passenger vehicle or
5 motorbus operated by, or under contract to, the corporation,
6 including the total number of accidents and any fines, penalties, or
7 judgments levied against the corporation related to any such
8 accident. The report shall also include information regarding any
9 safety violations for which the corporation was cited in the previous
10 year, including the total number of safety violations and any fines
11 or penalties levied against the corporation related to any such safety
12 violation.'¹

13 c. All records of minutes, accounts, bills, vouchers, contracts
14 or other papers connected with or used or filed with the corporation
15 or with any officer or employee acting **[for or in]** on its behalf are
16 hereby declared to be **[public]** government records and shall be
17 open to public inspection in accordance with P.L.1963, c.73
18 (C.47:1A-1 et seq.) and regulations prescribed by the corporation.

19 d. The corporation shall cause an audit of its books and
20 accounts to be made at least once each year by certified public
21 accountants and the cost thereof may be treated as a cost of
22 operation. The audit shall be filed within **'[4]** four¹ months after
23 the close of the fiscal year of the corporation and a certified
24 duplicate copy thereof shall be filed with the Division of Budget
25 and Accounting in the Department of the Treasury.

26 e. Notwithstanding the provisions of any law to the contrary,
27 the State Auditor or **[his]** a legally authorized representative may
28 examine the accounts and books of the corporation.

29 f. On or before **'[May]** April¹ 1 of each year, the board shall
30 approve and the corporation shall transmit to the Commissioner of
31 Transportation and to the President of the Senate, the Speaker of the
32 General Assembly, and the Assembly Transportation and
33 Independent Authorities Committee and the Senate Transportation
34 Committee, or their successor committees, an annual proposed
35 budget recommendation. The budget document shall be a two-year
36 budget which covers the most recent completed fiscal year,
37 estimated results for the fiscal year in progress, a recommendation
38 for the fiscal year to commence, and estimated needs and
39 projections for the following fiscal year. At a minimum, the budget
40 shall provide detailed information in the following areas:

41 (1) An executive summary outlining the highlights of the budget
42 document;

43 (2) A profile describing the history of the corporation and the
44 services it provides;

45 (3) An analysis of regional and agency transportation trends,
46 including a detailed ridership analysis;

47 (4) A synopsis of the current corporation business plan;

- 1 (5) A list of key performance indicators;
- 2 (6) A statement of current budget year assumptions regarding
- 3 funding and ridership;
- 4 (7) A summary of the internal corporation budgeting process
- 5 and its interaction with the Statewide budgeting process;
- 6 (8) A description of the current corporation organizational
- 7 structure;
- 8 (9) Detailed operating revenue and expense projections for each
- 9 division within the corporation, with 10 year revenue and expense
- 10 trends and five year revenue and expense projections;
- 11 (10) A detailed headcount analysis by department or unit,
- 12 which includes actual employee count, funded headcount, actual
- 13 salary and fringe expenses, and recent employment trends; and
- 14 (11) A summary of the capital program and analysis of current
- 15 capital projects for which capital funds have already been
- 16 appropriated, but where the project is not yet complete, which
- 17 includes the years of appropriation, amounts expended, future
- 18 appropriations required to complete the project, and a brief analysis
- 19 of project progress.

20 ¹g. On or before March 1 of each year, the board shall approve

21 and the corporation shall transmit to the Commissioner of

22 Transportation and to the President of the Senate, the Speaker of the

23 General Assembly, and the Assembly Transportation and

24 Independent Authorities Committee and the Senate Transportation

25 Committee, or their successor committees, a report containing: a

26 description of each parcel of real property in which the corporation

27 holds a property interest; the appraised value of that property

28 interest; the purpose for which the corporation holds the property

29 interest; any revenue the corporation receives that arises out of the

30 property interest; and any property interests sold or otherwise

31 disposed of, including the amount of money received by the

32 corporation for that sale or disposition, in the immediately

33 preceding year and including an accompanying explanation for any

34 property interest disposed of for less than market value and any

35 property interest acquired for more than market value.¹

36 (cf: P.L.2007, c.263, s.1)]³

37

38 ³9. Section 20 of P.L.1979, c.150 (C.27:25-20) is amended to

39 read as follows:

40 20. a. The corporation shall, by **【September 15】** October 31 of

41 each year, file with the Commissioner of Transportation a report in

42 such format and detail as the Commissioner may require setting

43 forth the actual, operational, capital and financial results of the

44 previous fiscal year, the operational, capital and financial plan for

45 the current fiscal year and a proposed operational, capital and

46 financial plan for the next ensuing fiscal year.

1 b. On or before October 31 of each year, the corporation shall
2 make an annual report of its activities for the preceding fiscal year
3 to the Governor , the President of the Senate, the Speaker of the
4 General Assembly, and the Assembly Transportation and
5 Independent Authorities Committee and the Senate Transportation
6 Committee, or their successor committees. Each such report shall
7 set forth a complete operating and financial statement covering its
8 operations and capital projects during the year. The report shall also
9 include an account of the on-time performance of rail passenger
10 service, including light rail service, operated by, or under contract
11 to, the corporation, including data for each such passenger line.
12 The report shall provide a detailed discussion of the methodology
13 used by the corporation in measuring on-time performance. The
14 report shall include information from the customer advocate, as
15 required by section 16 of P.L. , c. (C.) (pending before the
16 Legislature as this bill). The report shall include certain personnel
17 information of employees of the corporation, including the average
18 salary, number of employees in management positions, and number
19 of employees that are not in management positions in key
20 demographic groups, which shall include, at minimum, race,
21 ethnicity, and gender. The report shall include certain accident
22 information for reportable accidents that occurred during the
23 previous year which involved a rail passenger vehicle or motorbus
24 operated by, or under contract to, the corporation, including the
25 total number of accidents and any fines, penalties, or judgments
26 levied against the corporation related to any such accident. The
27 report shall also include information regarding any safety violations
28 for which the corporation received a notice of violation in the
29 previous year, including the total number of safety violations and
30 any fines or penalties levied against the corporation related to any
31 such safety violation. For the purposes of this subsection,
32 “reportable accidents” shall be defined in accordance with
33 applicable federal reporting criteria.

34 c. All records of minutes, accounts, bills, vouchers, contracts
35 or other papers connected with or used or filed with the corporation
36 or with any officer or employee acting on its behalf are hereby
37 declared to be government records and shall be open to public
38 inspection in accordance with P.L.1963, c.73 (C.47:1A-1 et seq.)
39 and regulations prescribed by the corporation.

40 d. The corporation shall cause an audit of its books and
41 accounts to be made at least once each year by certified public
42 accountants and the cost thereof may be treated as a cost of
43 operation. The audit shall be filed within four months after the
44 close of the fiscal year of the corporation and a certified duplicate
45 copy thereof shall be filed with the Division of Budget and
46 Accounting in the Department of the Treasury.

- 1 e. Notwithstanding the provisions of any law to the contrary,
2 the State Auditor or a legally authorized representative may
3 examine the accounts and books of the corporation.
- 4 f. On or before October 1 of each year, the board shall approve
5 and the corporation shall transmit to the Commissioner of
6 Transportation and to the President of the Senate, the Speaker of the
7 General Assembly, and the Assembly Transportation and
8 Independent Authorities Committee and the Senate Transportation
9 Committee, or their successor committees, a report containing: a list
10 of each parcel of real property owned by the corporation; the most
11 recent appraised value of that real property only if the corporation
12 has obtained an appraisal during the three years immediately
13 preceding the report; the purpose for which the corporation holds
14 the real property; any revenue the corporation receives that arises
15 out of the real property; and any real property sold or otherwise
16 disposed of, including the amount of money received by the
17 corporation for that sale or disposition, during the one year period
18 immediately preceding the report and including an accompanying
19 explanation for any real property disposed of for less than market
20 value and any real property acquired for more than market value.
- 21 g. On or before April 1 of each year, the board shall approve
22 and the corporation shall transmit to the Commissioner of
23 Transportation and to the President of the Senate, the Speaker of the
24 General Assembly, and the Assembly Transportation and
25 Independent Authorities Committee and the Senate Transportation
26 Committee, or their successor committees, an annual proposed
27 budget recommendation. The budget document shall be a two-year
28 budget which covers the most recent completed fiscal year,
29 estimated results for the fiscal year in progress, a recommendation
30 for the fiscal year to commence, and estimated needs and
31 projections for the following fiscal year. At a minimum, the budget
32 shall provide detailed information in the following areas:
- 33 (1) An executive summary outlining the highlights of the budget
34 document;
- 35 (2) A profile describing the history of the corporation and the
36 services it provides;
- 37 (3) An analysis of regional and agency transportation trends,
38 including a detailed ridership analysis;
- 39 (4) A synopsis of the current corporation business plan;
- 40 (5) A list of key performance indicators;
- 41 (6) A statement of current budget year assumptions regarding
42 funding and ridership;
- 43 (7) A summary of the internal corporation budgeting process
44 and its interaction with the Statewide budgeting process;
- 45 (8) A description of the current corporation organizational
46 structure;

(9) Detailed operating revenue and expense projections for each division within the corporation, with 10 year revenue and expense trends and five year revenue and expense projections;

(10) A detailed headcount analysis by department or unit, which includes actual employee count, funded headcount, actual salary and fringe expenses, and recent employment trends; and

(11) A summary of the capital program and analysis of current capital projects for which capital funds have already been appropriated, but where the project is not yet complete, which includes the years of appropriation, amounts expended, future appropriations required to complete the project, and a brief analysis of project progress.³

(cf: P.L.2018, c.135, s.2)

¹**[11.] 10.**¹ R.S.52:14-7 is amended to read as follows:

52:14-7. a. Every person holding an office, employment, or position

(1) in the Executive, Legislative, or Judicial Branch of this State, or

(2) with an authority, board, body, agency, commission, or instrumentality of the State including any State college, university, or other higher educational institution, and, to the extent consistent with law, any interstate agency to which New Jersey is a party, or

(3) with a county, municipality, or other political subdivision of the State or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality, or subdivision, or

(4) with a school district or an authority, board, body, agency, commission, or instrumentality of the district, shall have his or her principal residence in this State and shall execute such office, employment, or position.

This residency requirement shall not apply to any person: (a) who is employed on a temporary or per-semester basis as a visiting professor, teacher, lecturer, or researcher by any State college, university, or other higher educational institution, or county or community college, or in a full or part-time position as a member of the faculty, the research staff, or the administrative staff by any State college, university, or other higher educational institution, or county or community college, that the college, university, or institution has included in the report required to be filed pursuant to this subsection; (b) who is employed full-time by the State who serves in an office, employment, or position that requires the person to spend the majority of the person's working hours in a location outside of this State; or (c) an officer of the waterfront commission of New York harbor, employed by the commission on the effective date of P.L.2017, ¹**[c.234] c.324**¹ (C.32:23-229 et al.), who seeks to be transferred to the Division of State Police in the Department of Law and Public Safety pursuant to section 4 of P.L.2017, ¹**[c.234] c.324**¹ (C.53:2-9).

1 ¹For the time period between the effective date of
2 P.L. , c. (C.) (pending before the Legislature as this bill) and
3 five years following the effective date of P.L. , c. (C.)
4 (pending before the Legislature as this bill), this ¹ This ¹ residency
5 requirement shall not apply to any person who is hired by the New
6 Jersey Transit Corporation as an engineer or mechanic. ¹provided
7 that the corporation is able to demonstrate that it is unable to hire a
8 suitable applicant who resides in this State. A person who is hired
9 during this five-year period shall not be subject to the residency
10 requirement of this subsection while the person continues to hold
11 office, employment, or position without a break in public service of
12 greater than seven days ¹ or any other position certified by the board
13 of directors as a position of critical need ¹ .

14 For the purposes of this subsection, a person may have at most
15 one principal residence, and the state of a person's principal
16 residence means the state (1) where the person spends the majority
17 of the person's nonworking time, and (2) which is most clearly the
18 center of the person's domestic life, and (3) which is designated as
19 the person's legal address and legal residence for voting. The fact
20 that a person is domiciled in this State shall not by itself satisfy the
21 requirement of principal residency hereunder.

22 A person, regardless of the office, employment, or position, who
23 holds an office, employment, or position in this State on the
24 effective date of P.L.2011, c.70 but does not have principal
25 residence in this State on that effective date shall not be subject to
26 the residency requirement of this subsection while the person
27 continues to hold office, employment, or position without a break in
28 public service of greater than seven days.

29 Any person may request an exemption from the provisions of
30 this subsection on the basis of critical need or hardship from a five-
31 member committee hereby established to consider applications for
32 exemptions. The committee shall be composed of three persons
33 appointed by the Governor, a person appointed by the Speaker of
34 the General Assembly, and a person appointed by the President of
35 the Senate, each of whom shall serve at the pleasure of the person
36 making the appointment and shall have a term not to exceed five
37 years. A vacancy on the committee shall be filled in the same
38 manner as the original appointment was made. The Governor shall
39 make provision to provide such clerical, secretarial, and
40 administrative support to the committee as may be necessary for it
41 to conduct its responsibilities pursuant to this subsection.

42 The decision on whether to approve an application from any
43 person shall be made by a majority vote of the members of the
44 committee, and those voting in the affirmative shall so sign the
45 approved application. If the committee fails to act on an application
46 within 30 days after the receipt thereof, no exemption shall be
47 granted and the residency requirement of this subsection shall be

1 operative. The head of a principal department of the Executive
2 Branch of the State government, a Justice of the Supreme Court,
3 judge of the Superior Court, and judge of any inferior court
4 established under the laws of this State shall not be eligible to
5 request from the committee an exemption from the provisions of
6 this subsection.

7 The exemption provided in this subsection for certain persons
8 employed by a State college, university, or other higher educational
9 institution, or a county or community college, other than those
10 employed on a temporary or per-semester basis as a visiting
11 professor, teacher, lecturer, or researcher, shall apply only to those
12 persons holding positions that the college, university, or institution
13 has included in a report of those full or part-time positions as a
14 member of the faculty, the research staff, or the administrative staff
15 requiring special expertise or extraordinary qualifications in an
16 academic, scientific, technical, professional, or medical field or in
17 administration, that, if not exempt from the residency requirement,
18 would seriously impede the ability of the college, university, or
19 institution to compete successfully with similar colleges,
20 universities, or institutions in other states. The report shall be
21 compiled annually and shall also contain the reasons why the
22 positions were selected for inclusion in the report. The report shall
23 be compiled and filed within 60 days following the effective date of
24 P.L.2011, c.70. The report shall be reviewed, revised as necessary,
25 and filed by January 1 of each year thereafter. Each report shall be
26 filed with the Governor and, pursuant to section 2 of P.L.1991,
27 c.164 (C.52:14-19.1), with the Legislature, and a report may be
28 revised at any time by filing an amendment to the report with the
29 Governor and Legislature.

30 As used in this section, "school district" means any local or
31 regional school district established pursuant to chapter 8 or chapter
32 13 of Title 18A of the New Jersey Statutes and any jointure
33 commission, county vocational school, county special services
34 district, educational services commission, educational research and
35 demonstration center, environmental education center, and
36 educational information and resource center.

37 b. If any person holding any office, employment, or other
38 position in this State shall attempt to let, farm out, or transfer office,
39 employment, or position or any part thereof to any person, the
40 person shall forfeit the sum of \$1,500, to be recovered with costs by
41 any person who shall sue for the same, one-half to the prosecutor
42 and the other half to the State Treasurer for the use of the State.

43 c. No person shall be appointed to or hold any position in this
44 State who has not the requisite qualifications for personally
45 performing the duties of such position in cases where scientific
46 engineering skill is necessary to the performance of the duties
47 thereof.

1 d. Any person holding or attempting to hold an office,
2 employment, or position in violation of this section shall be
3 considered as illegally holding or attempting to hold the same;
4 provided that a person holding an office, employment, or position in
5 this State shall have one year from the time of taking the office,
6 employment, or position to satisfy the requirement of principal
7 residency, and if thereafter the person fails to satisfy the
8 requirement of principal residency as defined herein with respect to
9 any 365-day period, that person shall be deemed unqualified for
10 holding the office, employment, or position. The Superior Court
11 shall, in a civil action in lieu of prerogative writ, give judgment of
12 ouster against the person, upon the complaint of any officer or
13 citizen of the State, provided that any complaint shall be brought
14 within one year of the alleged 365-day period of failure to have the
15 person's principal residence in this State.

16 (cf: P.L.2017, c.324, s.32)

17
18 ¹**[12.]** 11.¹ R.S.52:24-4 is amended to read as follows:

19 52:24-4. It shall be the duty of the State Auditor to conduct
20 post-audits of all transactions and accounts kept by or for all
21 departments, offices and agencies of the State Government, to
22 report to the Legislature or to any committee thereof and to the
23 Governor, and to the Executive Director of the Office of Legislative
24 Services, as provided by this chapter and as shall be required by
25 law, and to perform such other similar or related duties as shall,
26 from time to time, be required **[of him]** by law.

27 The State Auditor shall personally or by any **[of his]** duly
28 authorized assistants, or by contract with independent public
29 accountant firms, examine and post-audit all the accounts, reports
30 and statements and make independent verifications of all assets,
31 liabilities, revenues and expenditures of the State, its departments,
32 institutions, boards, commissions, officers, and any and all other
33 State agencies, now in existence or hereafter created, hereinafter in
34 this chapter called "accounting agencies."

35 The State Auditor shall conduct, at the direction of the
36 Legislative Services Commission or of the presiding officer of
37 either house of the Legislature or on the State Auditor's own
38 initiative, a performance review audit of any program of any
39 accounting agency, any independent authority, or any public entity
40 or grantee that receives State funds, in a manner that is consistent
41 with the Government Auditing Standards for performance audits
42 utilized by the United States Government Accountability Office or
43 its successor.

44 When the State Auditor conducts any audit or performance
45 review audit, the accounting agency, or authority, entity or grantee,
46 shall respond in writing to each item in the State Auditor's report
47 and the State Auditor, at an appropriate time determined by **[him]**
48 the State Auditor, shall conduct a post-audit review of the

1 accounting agency's, or authority's, entity's, or grantee's,
2 compliance with the State Auditor's recommendations.

3 The officers and employees of each accounting agency, or
4 authority, entity, or grantee, shall assist the State Auditor, when and
5 as required by **him** the State Auditor, and provide the State
6 Auditor with prompt access to all records necessary for the State
7 Auditor to perform **his** the duties of the State Auditor,
8 notwithstanding any statutory or regulatory requirements of
9 confidentiality with regard to the records, for the purpose of
10 carrying out the provisions of this chapter. The State Auditor shall
11 report the failure of any accounting agency, or authority, entity, or
12 grantee, to provide prompt access to any relevant record to the
13 presiding officer of each house of the Legislature. The State
14 Auditor shall not disclose a confidential record provided by an
15 accounting agency, or authority, entity, or grantee, except as may be
16 necessary for the State Auditor to fulfill **his** any constitutional or
17 statutory responsibilities. Working papers prepared by the State
18 Auditor shall be confidential and shall not be considered
19 government records under P.L.1963, c.73 (C.47:1A-1 et seq.).

20 The State Auditor shall conduct audits of the New Jersey Transit
21 Corporation in accordance with the requirements of subsection a. of
22 section ¹**7** ⁶ of P.L. , c. (C.) (pending before the
23 Legislature as this bill).

24 Notwithstanding any law to the contrary, post-audits and
25 performance review audits shall be conducted within the limits of
26 the resources and personnel available to the State Auditor. If
27 resources and personnel are insufficient to conduct all such required
28 post-audits and performance review audits, the State Auditor may
29 prioritize certain audits and forgo others upon notice to the
30 Governor and the presiding officer of each house of the Legislature.
31 (cf: P.L.2006, c.82, s.1)

32
33 ¹**13.** ³**12.**¹ (New section) a. All members of the New Jersey
34 Transit Corporation board of directors appointed pursuant to section
35 4 of P.L.1979, c.150 (C.27:25-4) shall be appointed within ¹**30**
36 ⁹⁰¹ days of the effective date of P.L. , c. (C.) (pending
37 before the Legislature as this bill), provided that any member
38 serving on the board as of the effective date of P.L. , c. (C.)
39 (pending before the Legislature as this bill) whose term has not yet
40 expired may continue to serve until the expiration of that member's
41 term.

42 b. Any vacancy in the membership of the board on the effective
43 date of P.L. , c. (C.) (pending before the Legislature as this
44 bill) shall be filled in accordance with the following priority:

45 (1) members appointed upon the recommendation of the
46 ¹**Senate**¹ President ¹of the Senate¹ and the Speaker of the General
47 Assembly;

1 (2) the member appointed upon the recommendation of the
2 North Jersey Transportation Planning Authority;

3 (3) the member appointed upon the recommendation of the
4 'New Jersey members of the' Delaware Valley Regional Planning
5 Commission;

6 (4) **'[the member appointed upon the recommendation of the**
7 **Tri-State Transportation Campaign;**

8 (5)**]'** the member appointed by the Governor who is required to
9 have experience as a regular corporation motorbus regular route
10 service rider **'[or] ;**

11 (5) the member appointed by the Governor who is required to
12 have experience' as a regular corporation rail passenger service or
13 light rail service rider; and

14 (6) the members appointed by the Governor who are required to
15 have a professional background in passenger rail service, freight rail
16 management, transportation capital planning, transportation and
17 public transportation capital construction, federal transportation
18 policy, State transportation policy, 'real estate investment or
19 development.' human resources management, or transportation
20 capital finance.

21 c. The members appointed upon the recommendation of the
22 **'[Tri-State Transportation Campaign,] New Jersey members of'**
23 **the Delaware Valley Regional Planning Commission **'[,]'** and the**
24 **North Jersey Transportation Planning Authority shall serve initial**
25 **terms of three years.**

26 d. The members appointed upon the recommendation of the
27 **'[Senate]'** President 'of the Senate' and the Speaker of the General
28 Assembly shall serve initial terms of two years.

29 e. The member appointed by the Governor who is required to
30 have experience as a regular corporation motorbus regular route
31 service rider **'[or] , the member appointed by the Governor who is**
32 **required to have experience'** as a regular corporation rail passenger
33 service or light rail service rider^{1,1} and the members appointed by
34 the Governor who are required to have a professional background in
35 passenger rail service, freight rail management, transportation
36 capital planning, transportation and public transportation capital
37 construction, federal transportation policy, State transportation
38 policy, 'real estate investment or development.' human resources
39 management, or transportation capital finance shall serve initial
40 terms of one year.**]'³**

41

42 ³12. Section 6 of P.L.1979, c.150 (C.27:25-6) is amended to
43 read as follows:

44 6. a. The corporation may enter into contracts with any public
45 or private entity to operate rail passenger service or portions or
46 functions thereof. Where appropriate, payments by the corporation

1 for services contracted for under this section shall be determined in
 2 accordance with the Federal Regional Rail Reorganization Act of
 3 1973 (45 U.S.C. 701 et seq.), the Federal Rail Passenger Service
 4 Act of 1970 (45 U.S.C. 501 et seq.), any other applicable Federal
 5 law, and any and all rules, regulations and standards, promulgated
 6 thereunder and decisions issued pursuant thereto. In all other cases,
 7 payments shall be by agreement upon such terms and conditions as
 8 the corporation shall deem necessary.

9 b. The corporation may enter into contracts with any public or
 10 private entity to operate motorbus regular route, paratransit or
 11 motorbus charter services or portions or functions thereof.
 12 Payments shall be by agreement upon such terms and conditions as
 13 the corporation shall deem necessary.

14 c. The corporation may enter into contracts with any public or
 15 private entity to operate ferries and to provide ferry services or
 16 portions or functions thereof. Payments shall be by agreement upon
 17 such terms and conditions as the corporation shall deem necessary.

18 d. The corporation may enter into contracts with any public or
 19 private entity to operate light rail passenger service or portions or
 20 functions thereof. Payments shall be by agreement upon such terms
 21 and conditions as the corporation shall deem necessary.

22 e. The corporation may enter into contracts with any public
 23 utility or related company for services to support public
 24 transportation or transit operations. Payments shall be by
 25 agreement upon such terms and conditions as the corporation shall
 26 deem necessary.³

27 (cf: P.L.1979, c.150, s.6)

28
 29 ³13. Section 11 of P.L.1979, c.150 (C.27:25-11) is amended to
 30 read as follows:

31 11. a. All purchases, contracts or agreements pursuant to this
 32 act shall be made or awarded directly by the corporation, except as
 33 otherwise provided in this act, only after public advertisement for
 34 bids therefor, in the manner provided in this act, notwithstanding
 35 the provisions to the contrary of P.L.1948, c.92 (C.52:18A-1 et
 36 seq.) and chapters 25, 32, 33, 34 and 35 of Title 52 of the Revised
 37 Statutes.

38 b. Whenever advertising is required: (1) **【specifications and**
 39 **invitations for bids】** the solicitation shall permit such full and free
 40 competition as is consistent with the procurement of supplies and
 41 services necessary to meet the requirements of the corporation; (2)
 42 the advertisement **【for bids】** shall be in such newspaper or
 43 newspapers selected by the corporation as will best give notice
 44 thereof to bidders and shall be sufficiently in advance of the
 45 purchase or contract to promote competitive bidding; (3) the
 46 advertisement shall designate the time and place when and where
 47 sealed proposals shall be received and publicly opened and read, the

1 amount of the cash, certified check, cashier's check or bank check,
2 if any, which shall accompany each bid, and such other terms as the
3 corporation may deem proper.

4 c. The corporation may reject any or all bids or proposals not
5 in accord with the advertisement of specifications, or may reject
6 any or all bids if the price **【of the work materials】** is excessively
7 above the estimate cost or when the corporation shall determine that
8 it is in the public interest to do so. The corporation shall prepare a
9 list of the bids, including any rejected and the cause therefor. The
10 corporation may accept non-conforming bids **【containing minor**
11 **informalities】** only if the bid or proposal conforms to all material
12 requirements of the solicitation. Awards shall be made by the
13 corporation with reasonable promptness by written notice to:

14 (1) **【the responsible bidder whose bid, conforming to the**
15 **invitation for bids, will be the most advantageous to the State, price**
16 **and other factors considered, for contracts other than contracts for**
17 **the construction or improvement of capital facilities; or**

18 (2) **】** the lowest responsible bidder for contracts for the
19 construction or improvement of capital facilities. The provisions of
20 this paragraph shall not limit the corporation's right to extend, add
21 or resume suspended work on any project. Nor shall the provisions
22 of this paragraph apply to the procurement process for design-build
23 projects or design-build, maintain and operate projects. Those
24 projects shall be bid and contracts awarded in accordance with
25 applicable regulations promulgated by the corporation. Nor shall
26 the provisions of this paragraph affect the corporation's **【minority**
27 **and women's】** disadvantaged business enterprise program, the
28 State's small business enterprise program, or any equal employment
29 opportunity program or 【any】 affirmative action program; or

30 (2) for all other advertised contracts, the responsible bidder
31 whose bid or proposal, conforming to the invitation for bids or
32 request for proposals, will be the most advantageous to the
33 corporation, price and other factors considered, or offer the best
34 value to the corporation on federally funded procurements.

35 d. A bid bond in an amount, not to exceed 50% of the bid, to be
36 determined by the corporation with such sureties as shall be
37 approved by the corporation in favor of the State of New Jersey, or
38 a deposit consisting of a cashier's check, certified check or letter of
39 credit in an amount set forth by the corporation, shall accompany
40 each bid and shall be held as security for the faithful performance of
41 the contractor in that, if awarded the contract, the bidder will
42 deliver the contract within 10 working days after the notice, of
43 award, properly executed and secured by satisfactory bonds in
44 accordance with the provisions of N.J.S.2A:44-143 through
45 N.J.S.2A:44-147 and specifications for the project. The corporation
46 may require in addition to the bid bond or deposit such additional
47 evidence of the ability of a contractor to perform the work required

1 by the contract as it may deem necessary and advisable. All bid
2 bonds or deposits which have been delivered with the bids, except
3 those of the two lowest responsible bidders, shall be returned within
4 30 working days after such bids are received.

5 e. If the bidder fails to provide a satisfactory bid bond or
6 deposit as provided in subsection d. of this section, the bid shall be
7 rejected.

8 f. The corporation shall determine the terms and conditions of
9 the various types of agreements or contracts, including provisions
10 for adequate security, the time and amount or percentage of each
11 payment thereon and the amount to be withheld pending completion
12 of the contract, and it shall issue and publish rules and regulations
13 concerning such terms and conditions, standard contract forms and
14 such other rules and regulations concerning purchasing or
15 procurement, not inconsistent with any applicable law, as it may
16 deem advisable to promote competition and to protect the public
17 interest.

18 g. Any purchase, contract or agreement pursuant to subsection
19 a. hereof may be made, negotiated or awarded by the corporation
20 without advertising under the following circumstances:

21 (1) When the aggregate amount involved does not exceed the
22 amount determined pursuant to section 2 of P.L.1954, c.48
23 (C.52:34-7); **【or】**

24 (2) Where State or federal law requires a different process; or

25 (3) In all other cases when the corporation seeks:

26 (a) To acquire public or private entities engaged in the provision
27 of public transportation service, used public transportation
28 equipment or existing public transportation facilities or rights of
29 way; or

30 (b) To acquire subject matter which is that described in section
31 4 of P.L.1954, c.48 (C.52:34-9); or

32 (c) To make a purchase or award or make a contract or
33 agreement under the circumstances described in section 5 of
34 P.L.1954, c.48 (C.52:34-10); or

35 (d) To contract pursuant to section 6 of P.L.1979, c.150
36 (C.27:25-6); or

37 (e) To acquire or overhaul motorbuses, light rail vehicles, rail
38 cars, locomotives, ferries, signal systems **【or】** , fare collection
39 systems, or other major equipment used to provide public
40 transportation or transit operations.

41 h. The corporation shall require that all persons proposing to
42 submit bids on improvements to capital facilities and equipment
43 shall first be classified by the corporation as to the character or
44 amount or both of the work on which they shall be qualified to
45 submit bids. Bids shall be accepted only from persons qualified in
46 accordance with such classification.

47 i. In order to provide public transportation and transit
48 operations without disruption, the threshold specified in section 2 of

1 P.L.2005, c.51 (C.19:44A-20.14) shall apply to all purchasing
2 requirements for goods and materials to support those services.

3 j. Notwithstanding the provisions of any other law to the
4 contrary, and as an alternative to the procedures concerning the
5 awarding of contracts set forth above, the corporation may enter
6 into cooperative purchasing agreements with one or more other
7 states, or political subdivisions thereof, or other transit agencies for
8 the purchase of goods and services to support public transportation
9 or transit operations. A cooperative purchasing agreement shall
10 allow the parties thereto to standardize and combine their
11 requirements for the purchase of a particular good or service into a
12 single contract solicitation which shall be competitively bid and
13 awarded on behalf of the participants to the contract. The
14 corporation may elect to participate in, or purchase goods or
15 services through, a cooperative purchasing agreement that was
16 procured utilizing a competitive bidding process, in which other
17 states, or political subdivisions thereof, or other transit agencies
18 participate, whenever the executive director or the executive
19 director's designee determines it to be the most cost-effective
20 method of procurement or is otherwise more advantageous to the
21 corporation.

22 k. The corporation may solicit bids or proposals on behalf of
23 itself and other states, or political subdivisions thereof, or transit
24 agencies which are parties to a cooperative purchasing agreement,
25 provided that the agreement specifies that each participant in the
26 cooperative purchasing agreement is solely responsible for the
27 payment of the purchase price and cost of purchases made by it
28 under the terms of any contract awarded pursuant to the agreement.

29 l. Notwithstanding the provisions of any other law to the
30 contrary, and as an alternative to the procedures concerning the
31 awarding of contracts set forth above, the corporation may purchase
32 goods or services to support public transportation or transit
33 operations from a federal supply schedule, such as those procured
34 by the Federal General Services Administration, whenever the
35 executive director or the executive director's designee determines it
36 to be the most cost-effective method of procurement or is otherwise
37 more advantageous to the corporation. When the corporation
38 purchases goods or services from a federal supply schedule, (1) the
39 prices may be no greater than the price offered to federal agencies
40 and the corporation must receive the benefit of federally mandated
41 price reductions during the term of the contract and (2) the purchase
42 shall be governed by the laws of the State of New Jersey and any
43 contract claim by the vendor shall be brought pursuant to
44 N.J.S.59:13-1 et seq.³

45 (cf: P.L.2000, c.128, s.1)

46
47 ³14. Section 7 of P.L.1996, c.16 (C.52:34-6.2) is amended to
48 read as follows:

1 7. a. Notwithstanding the provisions of any other law to the
2 contrary except the provisions of R.S.30:4-95, and as an alternative
3 to the procedures concerning the awarding of public contracts
4 provided in P.L.1954, c.48 (C.52:34-6 et seq.), the Director of the
5 Division of Purchase and Property in the Department of the
6 Treasury may enter into cooperative purchasing agreements with
7 one or more other states, or political subdivisions thereof, for the
8 purchase of goods and services. A cooperative purchasing
9 agreement shall allow the jurisdictions which are parties thereto to
10 standardize and combine their requirements for the purchase of a
11 particular good or service into a single contract solicitation which
12 shall be competitively bid and awarded by one of the jurisdictions
13 on behalf of jurisdictions participating in the contract.

14 b. (1) The director may elect to purchase goods or services
15 through a contract awarded pursuant to a cooperative purchasing
16 agreement whenever the director determines this to be the most
17 cost-effective method of procurement. Prior to entering into any
18 contract to be awarded or already awarded through a cooperative
19 purchasing agreement, the director shall review and approve the
20 specifications and proposed terms and conditions of the contract.

21 (2) The director may also elect to purchase goods or services
22 through a contract awarded pursuant to a nationally-recognized and
23 accepted cooperative purchasing agreement that has been developed
24 utilizing a competitive bidding process, in which other states
25 participate, whenever the director determines this to be the most
26 cost-effective method of procurement. Prior to entering into any
27 contract to be awarded through a nationally-recognized and
28 accepted cooperative purchasing agreement that has been developed
29 utilizing a competitive bidding process, the director shall review
30 and approve the specifications and proposed terms and conditions
31 of the contract.

32 (3) Notwithstanding any other law to the contrary, any
33 contracting unit authorized to purchase goods, or to contract for
34 services, may make purchases and contract for services through the
35 use of a nationally-recognized and accepted cooperative purchasing
36 agreement that has been developed utilizing a competitive bidding
37 process by another contracting unit within the State of New Jersey,
38 or within any other state, when available. Prior to making
39 purchases or contracting for services, the contracting unit shall
40 determine that the use of the cooperative purchasing agreement
41 shall result in cost savings after all factors, including charges for
42 service, material, and delivery, have been considered.

43 For purposes of this paragraph, "contracting unit" means any
44 county, municipality, special district, school district, fire district,
45 State college or university, public research university, county
46 college, or any board, commission, committee, authority or agency,
47 which is not a State board, commission, committee, authority or
48 agency, and which has administrative jurisdiction over any district,

1 included or operating in whole or in part, within the territorial
2 boundaries of any county or municipality which exercises functions
3 which are appropriate for the exercise by one or more units of local
4 government, and which has statutory power to make purchases and
5 enter into contracts awarded by a contracting agent for the provision
6 or performance of goods or services, and the New Jersey Transit
7 Corporation created pursuant to P.L.1979, c.150 (C.27:25-1 et seq.).

8 c. The director may solicit bids and award contracts on behalf
9 of this State and other jurisdictions which are parties to a
10 cooperative purchasing agreement provided that the agreement
11 specifies that each jurisdiction participating in a contract is solely
12 responsible for the payment of the purchase price and cost of
13 purchases made by it under the terms of any contract awarded
14 pursuant to the agreement.

15 d. The director may promulgate rules and regulations pursuant
16 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
17 1 et seq.), which are necessary to effectuate the purposes of this
18 section.³

19 (cf: P.L.2016, c.50, s.5)

20
21 ³15. Section 2 of P.L.1989, c.291 (C.27:25-15.1) is amended to
22 read as follows:

23 2. a. There is established in the New Jersey Transit
24 Corporation a New Jersey Transit Police Department, which shall
25 be headed by a chief of police. This police department shall have
26 police and security responsibilities over all locations and services
27 owned, operated, or managed by the corporation and its
28 subsidiaries. The executive director of the New Jersey Transit
29 Corporation, through the chief of police of the New Jersey Transit
30 Police Department, shall have the power and authority to appoint
31 and employ such number of transit police officers as he deems
32 necessary to act as transit police officers of the corporation and to
33 administer to the transit police officers an oath or affirmation
34 faithfully to perform the duties of their respective positions or
35 offices. The transit police officers so appointed shall have general
36 authority, without limitation, to exercise police powers and duties,
37 as provided by law for police officers and law enforcement officers,
38 in all criminal and traffic matters at all times throughout the State
39 and, in addition, to enforce such rules and regulations as the
40 corporation shall adopt and deem appropriate. Nothing herein shall
41 confer upon the transit police officers so appointed or upon their
42 collective negotiations representative, exclusive jurisdiction or
43 claim over the exercise of police power or security work on behalf
44 of the corporation or any of its subsidiaries. Nothing herein shall
45 limit the executive director from continuing to call upon local
46 police for police services. The members of the New Jersey Transit
47 Police Department shall comply with all policies established by the
48 Attorney General, including rules and regulations, directives,

1 advisory opinions, and other guidelines, unless those policies are
2 inconsistent with federal laws, regulations, directives, advisory
3 opinions, or other guidelines relating to drug and alcohol testing,
4 alcohol misuse, or prohibited drug use applicable to the New Jersey
5 Transit Police Department. The executive director, through the
6 chief of police of the New Jersey Transit Police Department, shall,
7 in accordance with procedures established by the Superintendent of
8 State Police, investigate and determine the character, competency,
9 integrity and fitness of any person making application for
10 appointment as a police officer. The New Jersey Transit Police
11 Department is authorized to exchange fingerprint data and receive
12 criminal history record information from the State Bureau of
13 Identification in the Division of State Police and the Federal Bureau
14 of Investigation, Identification Division, for use in making this
15 determination.

16 b. Rail police officers of the New Jersey Transit Rail
17 Operations Police Department who are employed by the corporation
18 on the effective date of this 1991 amendatory and supplementary act
19 shall continue in employment, and shall be appointed as transit
20 police officers of the corporation. The corporation shall recognize
21 any representative previously chosen by these police officers for the
22 purposes of collective negotiations consistent with the bargaining
23 units already established. The corporation shall also assume and
24 observe any existing labor contracts covering these police officers
25 for their remaining term; provided however, that the terms and
26 conditions of these labor contracts are within the scope of
27 negotiations as defined by the Public Employment Relations
28 Commission under the "New Jersey Employer-Employee Relations
29 Act," P.L.1941, c.100 (C.34:13A-1 et seq.).

30 c. Transit police officers appointed pursuant to this section
31 shall satisfy the training requirements established by the Police
32 Training Commission as follows:

33 (1) All officers appointed pursuant to this section after the
34 effective date of this 1989 amendatory and supplementary act shall
35 successfully complete, within one year of the date of their
36 appointment, a training course approved by the Police Training
37 Commission;

38 (2) All officers appointed and in employment on the effective
39 date of this 1989 amendatory and supplementary act may continue
40 in employment if, within 18 months of the effective date of this
41 1991 amendatory and supplementary act, they have satisfied the
42 training requirements of the Police Training Commission;

43 (3) The executive director, through the chief of police of the
44 New Jersey Transit Police Department, may request from the Police
45 Training Commission an exemption from all or part of the training
46 requirements of this subsection on behalf of a current or prospective
47 officer who demonstrates successful completion of a police training
48 course conducted by any federal, state or other public or private

1 agency, the requirements of which are substantially equivalent to
2 the requirements of the Police Training Commission.

3 d. Transit police officers shall qualify for an exemption from
4 the provisions of N.J.S.2C:39-5 if they satisfactorily complete a
5 firearms training course approved by the Police Training
6 Commission.³

7 (cf: P.L.1991, c.386, s.1)

8
9 ³16. (New section) The New Jersey Transit Corporation shall
10 employ a customer advocate. The customer advocate shall annually
11 provide a report of his or her activities during the prior fiscal year,
12 which shall be included in the corporation's annual report required by
13 section 20 of P.L.1979, c.150 (C.27:25-20). The customer
14 advocate's annual report shall include: a list of any customer
15 surveys performed and a summary of the results of each; a summary
16 of customer experience enhancements; a list of customer facility
17 improvements; and an account of the on-time performance of rail
18 passenger service, including light rail service, operated by, or under
19 contract to, the corporation, including data for each such passenger
20 line.³

21
22 ³17. (New section) a. All members of the New Jersey Transit
23 Corporation board of directors appointed pursuant to section 4 of
24 P.L.1979, c.150 (C.27:25-4) shall be appointed within 90 days of
25 the effective date of P.L. , c. (C.) (pending before the
26 Legislature as this bill), provided that any member serving on the
27 board as of the effective date of P.L. , c. (C.) (pending
28 before the Legislature as this bill) whose term has not yet expired
29 may continue to serve until the expiration of that member's term;
30 and further provided that any member serving on the board as of the
31 effective date of P.L. , c. (C.) (pending before the
32 Legislature as this bill) whose term has already expired may
33 continue to serve until that member is replaced or reappointed.

34 b. The members appointed upon the recommendation of the
35 New Jersey members of the Delaware Valley Regional Planning
36 Commission and the North Jersey Transportation Planning
37 Authority shall serve initial terms of one year.

38 c. The member appointed upon the recommendation of the
39 President of the Senate shall serve an initial term of four years.

40 d. The member appointed upon the recommendation of the
41 Speaker of the General Assembly shall serve an initial term of three
42 years.

43 e. The member appointed by the Governor who is required to
44 have experience as a regular corporation motorbus regular route
45 service rider and the member appointed by the Governor who is
46 required to have experience as a regular corporation rail passenger
47 service or light rail service rider shall serve initial terms of two
48 years. The two members appointed by the Governor who are

1 required to have a professional background in passenger rail
2 service, freight rail management, transportation capital planning,
3 transportation and public transportation capital construction, federal
4 transportation policy, State transportation policy, real estate
5 investment or development, human resources management,
6 communication, or transportation capital finance shall serve initial
7 terms of three and four years.³

8
9 ¹~~14.~~ ³~~13.~~¹ 18.³ This act shall take effect immediately.

10
11
12 _____
13
14 Provides governance, oversight, and accountability reforms at
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