

SENATE, No. 3485

STATE OF NEW JERSEY
219th LEGISLATURE

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Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

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District 18 (Middlesex)

SYNOPSIS

Establishes “New Jersey Transit Bus Riders’ Bill of Rights.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/18/2021)

1 AN ACT concerning bus passenger service, and supplementing Title
2 27 of the Revised Statutes, and amending P.L.1979, c.150.

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

6
7 1. (New section) This act shall be known and may be cited as
8 the “New Jersey Transit Bus Riders’ Bill of Rights.”

9
10 2. (New section) The Legislature finds and declares:

11 a. New Jersey is the most densely populated state in the
12 country, and the residents of New Jersey depend on access to a
13 modern and efficient transit network;

14 b. New Jersey residents have long relied on public
15 transportation to get to jobs and appointments, go shopping, visit
16 family and friends, and enjoy the freedom of movement;

17 c. Less public attention has been focused on bus service
18 relative to heavy rail and light rail service despite bus service
19 providing more trips, serving more municipalities, and offering less
20 costly service than rail service;

21 d. Bus services often reduces inequalities in low-income
22 minority communities by providing access to public transit and, via
23 transit, to healthier food, better jobs, and more affordable housing;
24 and

25 e. It is the intent of the Legislature to provide bus passengers
26 with a defined set of guaranteed bus transit service standards via the
27 State transit service, provided by the New Jersey Transit
28 Corporation, to be known as the New Jersey Transit Bus Riders’
29 Bill of Rights. The Bill of Rights will ensure that a person on a
30 passenger bus operated by the New Jersey Transit Corporation or
31 any other provider contracted by the New Jersey Transit
32 Corporation to provide bus passenger service operating on a
33 regularly scheduled route in this State, or between points in this
34 State and points in other states, will have the right to reliable,
35 affordable, and on-time transportation; accurate and timely
36 information about bus arrival times and service delays; clear
37 communication about service changes and reductions; protection
38 against discrimination based on race, color, or national origin;
39 accommodations for disabilities as required by the federal
40 “Americans with Disabilities Act of 1990”
41 (42 U.S.C. s.12101 et seq.); and safe buses, bus stops, and bus
42 terminals.

43
44 3. (New section) a. The corporation shall ensure that all bus

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.

1 passengers are provided with the following guarantees of quality
2 service:

3 (1) A sufficient number of buses operating seven days per week
4 to accommodate every customer;

5 (2) Clear audio or visual communication available in advance
6 of arriving at a bus stop that provides information regarding
7 arrivals, departures, delays, service changes, service implications,
8 and alternate routes at all impacted bus stops along the route,
9 provided via the corporation's website, and other appropriate
10 electronic forms of communication;

11 (3) Accurate, open-sourced data published at a regular
12 frequency, covering topics including but not limited to: ridership
13 numbers and on-time performance based on published scheduled
14 departure times, using a standard of no less than six minutes from
15 bus terminal departure, intermediate points along the bus route, and
16 end-of-route arrival;

17 (4) Bus schedules and routes that are evaluated and adjusted at
18 least every twelve months, with adjustments based on bus ridership
19 metrics;

20 (5) Up-to-date maps of bus routes and schedules in printed form,
21 in languages, including braille, primarily spoken or used by
22 customers who regularly use a given route on buses and at bus
23 shelters and stations along the route; and in all major languages in
24 electronic form, available from the corporation's website, mobile
25 application, and other digital communication channels;

26 (6) Sanitized, well-maintained vehicles with functioning level
27 boarding that meet federal and State health, safety, and vehicle
28 inspection requirements, and offer priority seating areas for
29 passengers with disabilities;

30 (7) Proper safety equipment and training to protect bus
31 operators and passengers, and safety requirements and regulations
32 that are clearly posted and enforced for both passengers and
33 operators;

34 (8) Bus operators who shall be regularly trained in: health safety
35 requirements, operating accessibility equipment such as lifts or
36 ramps and wheelchair securement, laws pertaining to service
37 animals, and proper procedures in dealing with passengers who
38 have any type of disability;

39 (9) A modern fare payment system that allows passengers to use
40 mobile applications, reloadable passes, bank cards, or cash, in the
41 most customer-friendly manner practicable; and

42 (10) Fares that meet the needs of all customers, based on age,
43 socioeconomic status, and disability, and fare increases that are
44 only enacted as a last resort, and only after the proper statutory
45 public process, when all other funding options have been exhausted,
46 and the State shall provide stable operating funding for the
47 corporation to allow for service improvements and system
48 expansion.

1 b. In order to maximize public awareness of these passenger
2 guarantees, the corporation shall: develop and maintain a document
3 listing the individual paragraphs of subsection a. of this section as a
4 bus rider's bill of rights; prominently display the document in an
5 easily noticeable location on all corporation motorbuses and in all
6 bus stations and terminals; make the document easily accessible on
7 the corporation's website; and provide a written link to the
8 document on all regular route bus schedules.

9
10 4. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read
11 as follows:

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

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

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

1 d. (1) Before implementing the substantial curtailment or
2 abandonment of rail passenger services, the corporation shall hold
3 at least two public hearings in the area affected, as close as possible
4 to the highest trafficked stop on the route. At least one of the two
5 hearings shall take place on a State working day. One hearing shall
6 take place for at least two hours between the hours of 9:00 a.m. and
7 5:00 p.m., and the other hearing shall take place for at least two
8 hours between the hours of 6:00 p.m. and 10:00 p.m. Before
9 implementing the substantial curtailment or abandonment of
10 motorbus regular route services, the corporation shall hold at least
11 one public hearing in the area affected, as close as possible to the
12 highest trafficked station on the route. Each public hearing required
13 pursuant to this paragraph shall be attended by at least two members
14 of the corporation's board of directors.

15 (2) Before implementing any fare increase for any motorbus
16 regular route or rail passenger services, at least 10 public hearings
17 shall be held and shall be distributed geographically throughout the
18 State. Not more than one hearing required pursuant to this
19 paragraph shall take place in each county, and each hearing shall be
20 located as close as possible to both a rail passenger service line and
21 a motorbus regular route. At least half of the hearings required
22 pursuant to this paragraph shall take place on State working days.
23 Five of the hearings shall take place for at least two hours between
24 the hours of 9:00 a.m. and 5:00 p.m., and the other five hearings
25 shall take place for at least two hours between the hours of 6:00
26 p.m. and 10:00 p.m. Each public hearing required pursuant to this
27 paragraph shall be attended by at least two members of the
28 corporation's board of directors.

29 (3) Before implementing any fare increase or the curtailment or
30 abandonment of any motorbus regular route service, the corporation
31 shall be required to produce a public impact report. For a fare
32 increase, the report shall identify other funding strategies pursued
33 by the corporation to avoid a fare increase and prove the necessity
34 of the fare increase. For a curtailment or abandonment of motorbus
35 regular route service, the report shall perform an analysis of the
36 impacted motorbus regular route service, showing that riders will
37 benefit overall from the service changes, and that reasonable
38 considerations have been made to mitigate rider impacts in areas
39 where service is to be reduced or eliminated. The corporation shall
40 make this report available to the public, include it in public hearing
41 notices, and publish it on the front page of the corporation's website
42 at the same time as the notice of public hearings required pursuant
43 to this subsection.

44 For the hearings required under paragraphs (1) and (2) of this
45 subsection, notice of the hearing shall be given by the corporation at
46 least 15 days prior to the hearing to the governing body of each
47 county whose residents will be affected and to the clerk of each
48 municipality in the county or counties whose residents will be

1 affected; the notice shall also be posted at least 15 days prior to the
2 hearing in prominent places on the railroad cars and buses serving
3 the routes to be affected. In addition to the public hearing, the
4 corporation shall post, in prominent places on the railroad cars and
5 buses serving the routes to be affected, a postal mailing address and
6 electronic mailing address where members of the public may
7 provide written comments to the corporation regarding the proposed
8 fare increase or substantial curtailment or abandonment of service.
9 The corporation shall prepare and publish a written response
10 concerning any issue or concern raised by a member of the public at
11 any public hearing or in any written comment provided pursuant to
12 this subsection.

13 e. Public hearings shall be concluded at least seven days prior
14 to final action by the board.

15 f. For the purposes of this section, "substantial curtailment"
16 and "substantially curtail" shall mean a change in service that: (1)
17 discontinues or abandons all service on an entire bus route, rail line,
18 or light rail line; (2) discontinues or abandons all service on a
19 portion of a bus route, rail line, or light rail line that represents
20 more than 25 percent of the route or line's miles; provided however
21 that "substantial curtailment" or "substantially curtail" shall not
22 mean the discontinuance or abandonment of a portion of a route or
23 line's service if alternate service is available by existing duplicative
24 service that is provided by the corporation or another transit
25 provider or by transfer to another route with a comparable level of
26 service; (3) discontinues all service on a particular day or days of
27 the week for an entire bus route, rail line, or light rail line, or on a
28 portion of a bus route, rail line, or light rail line that represents
29 more than 25 percent of the route or line's miles; (4) reduces service
30 on a regular bus route or light rail line in a way that the headway on
31 the peak service increases by more than 50 percent, or that more
32 than doubles the non-peak headway; (5) reduces service on a rail
33 line in a way that reduces the amount of total service on the line by
34 more than 25 percent or reduces service on a rail line during peak
35 hours in a way that reduces the total number of daily trips provided
36 during peak hours; (6) completely closes an existing bus terminal,
37 rail station, or light rail station; or (7) reduces service that would
38 change the span of service on a rail line, regular bus route or light
39 rail line by two hours or more during non-peak hours or reduces the
40 span of service during peak hours by more than 20 minutes.

41 For the purposes of this section, a temporary change in service
42 lasting two weeks or less, and where service returns to the regularly
43 scheduled service within two weeks of the start of the change, shall
44 not constitute "substantial curtailment," but shall require public
45 notice for all temporary changes and, for temporary changes where
46 the impact to riders is significant, alternate provision of service.

47 g. Nothing contained herein shall prevent the corporation from
48 taking any action necessary to address emergency or exigent

1 circumstances, provided that if such action constitutes a substantial
2 curtailment under this section, the corporation shall hold public
3 hearings as soon as practicable. The corporation shall explain to the
4 public the reasons for the emergency at the hearing, and shall take
5 public input concerning the impacts of the emergency on riders.
6 The corporation shall take the public testimony into account when
7 determining alternate service measures to mitigate the impact of the
8 substantial curtailment.

9 (cf: P.L.2018, c.162, s.5)

10
11 5. This act shall take effect immediately but shall remain
12 inoperative until the 90th day following enactment.

13 14 15 STATEMENT

16
17 This bill establishes the “New Jersey Transit Bus Riders’ Bill of
18 Rights.” The bill of rights enumerates a series of operating
19 principles and minimum guaranteed levels of bus service that the
20 New Jersey Transit Corporation (NJ Transit) is required to
21 guarantee to all of its bus passengers. NJ Transit is to draft the bill
22 of rights as a public document and to display it prominently on
23 motorbuses, bus terminals and bus stations, as well as post it on the
24 NJ Transit website and provide a link to the website on all bus
25 schedules.

26 The bill of rights guarantees:

- 27 1. Sufficient buses operate to service every customer;
- 28 2. Clear audio or visual communication that provides
29 information about arrivals, departures, delays, service changes,
30 service implications, and alternate routes is provided via website
31 and other forms of communication;
- 32 3. Public ridership numbers and on-time performance data are
33 published at a regular frequency;
- 34 4. Bus schedules and routes are evaluated and adjusted at least
35 every twelve months based on bus ridership metrics;
- 36 5. Up-to-date maps of bus routes and schedules are provided in
37 all major languages;
- 38 6. Sanitized, well-maintained vehicles are provided that meet
39 federal and State health, safety, and vehicle inspection
40 requirements, and offer priority seating areas for passengers with
41 disabilities;
- 42 7. Proper safety equipment and training are provided to protect
43 bus operators and passengers;
- 44 8. Bus operators are regularly trained in certain subject matter
45 areas;
- 46 9. A modern fare payment system is available to allow payment
47 methods in the most customer-friendly manner practicable; and

1 10. Fares meet the needs of all customers, based on age,
2 socioeconomic status, and disability, with fare increases as a last
3 resort, and that the State will provide stable operating funding to
4 allow for service improvements and system expansion.
5 The bill also amends the public hearing process for fare increases
6 and substantial curtailment or abandonment of service to require NJ
7 Transit to produce a public report at the same time that it provides
8 public notice for statutorily required public hearings. This report
9 will require public justifications for fare increases or service
10 changes that are consistent with the service guarantees provided in
11 the bus rider's bill of rights.