

[First Reprint]
ASSEMBLY, No. 811

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman FARRAGHER and Assemblyman ARNONE

1 AN ACT concerning school buses fueled by liquefied petroleum gas
2 and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 "Conventional fuel" means gasoline or diesel fuel;

9 "Governmental entity" means the State, any agency, authority, or
10 employee thereof, or any political subdivision of the State, including
11 but not limited to any county, municipality, or school district, or any
12 agency, authority, or employee thereof;

13 "Liquefied petroleum gas" means LPG, butane, butylene, propane,
14 or propylene, or other related or similar compounds commonly
15 regarded to be liquefied petroleum gases as prescribed by rule or
16 regulation adopted by the Department of Environmental Protection
17 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
18 (C.52:14B-1 et seq.); and

19 "School bus" means a school bus ¹[, School Vehicle Type I, or
20 School Vehicle Type II, all]¹ as defined pursuant to R.S.39:1-1 ¹[, that
21 is regulated or inspected under the authority of section 1 of P.L.1966,
22 c.16 (C.26:2C-8.1), section 6 of P.L.1965, c.119 (C.39:3B-5), section
23 3 of P.L.1983, c.206 (C.39:3B-5.3), or R.S.39:8-1]¹.

24

25 2. a. Liquefied petroleum gas may be used as an alternative fuel
26 for a school bus instead of, in addition to, or in combination with a
27 conventional fuel.

28 b. A school bus may be equipped or converted to operate with
29 liquefied petroleum gas as the sole fuel or in addition to or in
30 combination with a conventional fuel.

31 3. No school bus may be operated using liquefied petroleum gas as

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AES committee amendments adopted March 20, 1997.

1 the sole fuel, or in addition to or in combination with a conventional
2 fuel, unless the school bus has been equipped or converted for such
3 use and is operated in accordance with (1) all applicable federal and
4 State laws, rules, regulations, codes, standards, and guidelines
5 pertaining thereto, including but not limited to any such rules,
6 regulations, codes, standards, and guidelines that may be adopted by
7 the National Highway Traffic Safety Administration, and (2) all
8 applicable codes, standards, and guidelines established by the National
9 Fire Protection Association for the storage, handling, and use of
10 liquefied petroleum gas.

11

12 ¹[4. a. Notwithstanding any other law, rule, or regulation to the
13 contrary, neither the owner or operator of a school bus nor any
14 governmental entity shall be liable for any injury or damages caused
15 either directly or indirectly by:

16 (1) the use of liquefied petroleum gas as the sole fuel, or in
17 addition to or in combination with a conventional fuel, to operate the
18 school bus; or

19 (2) the equipping or converting of the school bus to operate using
20 liquefied petroleum gas as the sole fuel or in addition to or in
21 combination with a conventional fuel.

22 b. The immunity provided by subsection a. of this section shall
23 attach only if the school bus is equipped or converted, and operated,
24 as required by section 3 of this act.

25 c. The immunity provided by subsection a. of this section shall be
26 in addition to any other immunity that may apply under the "New
27 Jersey Tort Claims Act," N.J.S.59:1-1 et seq., or any other law, rule,
28 or regulation.]¹

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30 ¹[5]4¹. The Department of Environmental Protection, in
31 consultation with the Department of Transportation, the Division of
32 Motor Vehicles in the Department of ¹[Law and Public Safety]
33 Transportation¹, and the Department of Education, may adopt,
34 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
35 (C.52:14B-1 et seq.), any rules or regulations necessary to implement
36 this act.

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38 ¹[6.] 5.¹ This act shall take effect immediately.

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Authorizes use of liquefied petroleum gas to fuel school buses.