

SENATE, No. 2032

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1997

By Senators MATHEUSSEN and PALAIA

1 AN ACT concerning crossing control arms on school buses, amending
2 P.L.1996, c.96 and repealing section 4 of P.L.1996, c.96.

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

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7 1. Section 1 of P.L.1996, c. 96 (C.39:3B-1.1) is amended to read
8 as follows:

9 1. Every school bus as defined under R.S.39:1-1, which was
10 originally designed to carry 10 or more passengers and which is in
11 operation on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et
12 seq.)] August 6, 1996, transporting public and nonpublic school pupils
13 and every new or used such school bus purchased on or after [the
14 effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.) used to
15 transport pupils pursuant to N.J.S.18A:39-1 et seq. , including buses
16 used to transport all nonpublic school pupils,] that date to transport
17 public and nonpublic school pupils shall be equipped with a crossing
18 control arm at the right front corner of the bus. In each year
19 subsequent to [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et
20 seq.)] August 6, 1996, 50 percent of all school bus fleets in operation
21 on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.)] that
22 date owned by any agency, a board of education, a nonpublic school
23 or a school bus contractor not already equipped with a crossing
24 control arm shall be so equipped, provided[, however] that each
25 vehicle used to transport elementary school students shall be given
26 priority to be equipped with a crossing control arm in the first year
27 following [the effective date] August 6, 1996. The arm shall open and
28 extend out from the front of the bus at least 5 1/2 feet each time the
29 bus door is opened.

30 (cf: P.L.1996, c.96, s.1)

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32 2. Section 2 of P.L.1996, c.96 (C.39:3B-1.2) is amended to read
33 as follows:

34 2. Each agency, school district and nonpublic school that owns and

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.

1 operates its own school buses and each school bus contractor that
2 [provides transportation services pursuant to N.J.S.18A:39-1]
3 operates school buses, as defined in section 1 of P.L.1996, c.96
4 (C.39:3B-1.1), shall receive reimbursement from the Department of
5 Education in an amount up to, but not to exceed, \$300 per bus for
6 retrofitting those school buses in operation on [the effective date of
7 P.L.1996, c.96 (C.39:3B-1.1 et seq.)] August 6, 1996, and an amount
8 up to, but not to exceed, \$200 per bus for buses put into operation
9 after that date for the cost of including the crossing control arm on
10 those buses. If any agency, school district, nonpublic school or
11 school bus contractor chooses to equip more than 50 percent of its
12 school buses in any one year, it shall receive a maximum
13 reimbursement for 50 percent of its school buses for that year.
14 Reimbursement for retrofitting more than 50 percent of its school
15 buses will be paid in the subsequent year based on a schedule to be
16 determined by the commissioner, not to exceed two years.

17 (cf: P.L.1996, c.96, s.2)

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19 3. Section 3 of P.L.1996, c.96 (C.39:3B-1.3) is amended to read
20 as follows:

21 3. [Within] No later than 60 days [of] after the effective date of
22 [P.L.1996, c.96] P.L. _____, c. _____ (C.39:3B-1.1 et seq.) (now pending
23 before the Legislature as this bill), each agency, board of education
24 nonpublic school and school bus contractor shall submit to the
25 Commissioner of Education a list of all vehicles, as defined in section
26 1 of P.L.1996, c.96 (C.39:3B-1.1), that are used to transport students
27 [pursuant to N.J.S.18A:39-1] on [the effective date of P.L.1996, c.96
28 (C.39:3B-1.1 et seq.)] August 6, 1996, including: the vehicle serial
29 number; the year, make and license plate number as noted on the
30 vehicle registration; and an indication as to whether the vehicle is
31 currently equipped with a crossing control arm.

32 The owners of such vehicles may apply for reimbursement through
33 the Department of Education in accordance with section 2 of
34 P.L.1996, c.96 (C.39:3B-1.2) on an application form as the
35 Commissioner of Education shall prescribe. The application shall be
36 accompanied by a receipt for the purchase of the crossing control arm
37 through an authorized dealer.

38 (cf: P.L.1996, c.96, s.3)

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40 4. Section 4 of P.L.1996, c.96 (C.39:3B-1.4) is repealed.

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42 5. This act shall take effect immediately.

STATEMENT

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This bill amends the statute that requires the installation of crossing control arms on school buses, approved on August 6, 1996, to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

Clarifies requirement that school buses are to be equipped with crossing control arms.