

SENATE, No. 1379

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED FEBRUARY 11, 2016

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Senator Allen

SYNOPSIS

Concerns NJ Transit's treatment of people with guide or service dogs;
establishes Access Link Customer Service Group.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/19/2016)

1 AN ACT concerning the New Jersey Transit Corporation and
2 persons with guide or service dogs, establishing procedures for
3 complaints and supplementing P.L.1979, c.150 (C.27:25-1 et
4 seq.).

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

8
9 1. Any person with a disability accompanied by a guide or
10 service dog or any guide or service dog trainer accompanied by a
11 guide or service dog, when riding on any bus, train, or other form of
12 transportation operated by or under contract to the New Jersey
13 Transit Corporation, may keep such dog, appropriately controlled,
14 in the person's immediate custody. The corporation shall not deny
15 to any person use of, or entry to, any vehicle used for public
16 transportation services or any vehicle used for providing
17 transportation to persons with a disability or to guide or service dog
18 trainers because the person is accompanied by a guide or service
19 dog, provided that the guide or service dog is appropriately
20 controlled. As used in this section, the terms "disability," "guide
21 dog," "guide or service dog trainer," and "service dog" shall have
22 the same meaning as set forth in section 5 of P.L.1945, c.169
23 (C.10:5-5).

24
25 2. a. The corporation shall designate an Access Link Customer
26 Service Group to receive and act upon complaints from passengers
27 with disabilities regarding Access Link service. The corporation
28 shall provide for the establishment of procedures and methods by
29 which such complaints shall be received, processed, and acted upon
30 and for their resolution and settlement. The Access Link Customer
31 Service Group shall, within 21 business days of the receipt of a
32 complaint, respond in writing as to the disposition or status of the
33 complaint. Any person who has not received a written response to a
34 complaint within 21 business days may petition the New Jersey
35 Transit General Manager of ADA Services for a hearing upon that
36 complaint, under rules promulgated by the general manager for the
37 hearing and disposition of such matters. As used in this section,
38 "Access Link" means the paratransit service implemented by the
39 corporation for purposes of complying with the "Americans with
40 Disabilities Act of 1990," Pub.L.101-336 (42 U.S.C. 12101 et seq.).

41 b. The corporation shall provide to each person using Access
42 Link, at the time the person is determined to be qualified for Access
43 Link service and at least once in each calendar year thereafter in
44 which the person remains a user, information as to the procedure to
45 be followed in making and pursuing complaints to the Access Link
46 Customer Service Group or the New Jersey Transit General
47 Manager of ADA Services pursuant to this section. The direct
48 telephone number for the Access Link Customer Service Group
49 shall be prominently displayed in all Access Link vehicles.

1 c. The New Jersey Transit General Manager of ADA Services
2 shall report semi-annually to the board, summarizing the Access
3 Link Customer Service Group's activities for the preceding six
4 months, including the number of complaints received, the nature of
5 the complaints, and the resolution of the complaints and setting
6 forth any recommendations for changes which would improve
7 transportation services for passengers with disabilities. The New
8 Jersey Transit General Manager of ADA Services shall send a copy
9 of the report to the Division on Civil Rights in the Department of
10 Law and Public Safety, Disability Rights New Jersey, and the
11 Community Health Law Project or their successor organizations.

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13 3. This act shall take effect immediately.
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16 STATEMENT
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18 As reported, the bill provides that any person with a disability
19 accompanied by a guide or service dog, or any guide or service dog
20 trainer accompanied by a guide or service dog, when riding on any
21 bus, train, or other form of transportation operated by the New
22 Jersey Transit Corporation (New Jersey Transit), may keep that
23 dog, appropriately controlled, in the person's immediate custody.
24 The bill prohibits New Jersey Transit from denying to any person
25 use of or entry to any vehicle used for public transportation services
26 or any vehicle used for providing transportation to persons with
27 disabilities because the person is accompanied by an appropriately
28 controlled guide or service dog.

29 The bill requires New Jersey Transit to designate an Access Link
30 Customer Service Group to receive and act upon complaints
31 regarding Access Link service and to establish procedures by which
32 complaints are to be processed and resolved. The bill contains
33 requirements for giving Access Link passengers notice of the
34 complaint procedures.

35 The bill requires the New Jersey Transit General Manager of
36 ADA Services to report semi-annually to the New Jersey Transit
37 board with a summary of the Access Link Customer Service Group
38 activities for the preceding six months. The New Jersey Transit
39 General Manager of ADA Services is also required to send a copy
40 of that report to the Division on Civil Rights in the Department of
41 Law and Public Safety, Disability Rights New Jersey, and the
42 Community Health Law Project.