

**ASSEMBLY, No. 848**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman NICHOLAS CHIARAVALLOTI**

**District 31 (Hudson)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblywoman Chaparro**

**SYNOPSIS**

Requires owner of certain autobuses to register with and receive approval from municipalities in which autobus operates.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the registration and approval of certain  
2 autobuses, and amending and supplementing P.L.2013, c.224.

3

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

6

7 1. Section 4 of P.L.2013, c.224 (C.56:16-2) is amended to read  
8 as follows:

9 4. For the purposes of sections 3 through 9 of P.L.2013, c.224  
10 (C.56:16-1 et seq.) and section 2 of P.L. , c. (C. ) (pending  
11 before the Legislature as this bill):

12 "Autobus" means a privately-owned autobus operated over the  
13 public highways in this State for the transportation of not more than  
14 40 passengers for hire in intrastate or interstate business except that  
15 "autobus" shall not include:

16 (1) a vehicle engaged in motorbus regular route service as  
17 defined in section 3 of P.L.1979, c.150 (C.27:25-3);

18 (2) a vehicle engaged in the transportation of passengers for hire  
19 in the manner and form commonly called taxicab service unless that  
20 service becomes or is held out to be regular service between stated  
21 termini;

22 (3) a hotel bus used exclusively for the transportation of hotel  
23 patrons to or from local railroad or other common carrier stations  
24 including local airports;

25 (4) a bus operated for the transportation of enrolled children and  
26 adults only when serving as chaperones to or from a school, school  
27 connected activity, day camp, summer day camp, nursery school,  
28 child care center, pre-school center, or other similar places of  
29 education, including "School Vehicle Type I" and "School Vehicle  
30 Type II" as defined in R.S.39:1-1;

31 (5) an autobus with a carrying capacity of not more than 13  
32 passengers operated under municipal consent upon a route  
33 established wholly within the limits of a single municipality or with  
34 a carrying capacity of not more than 20 passengers operated under  
35 municipal consent upon a route established wholly within the limits  
36 of not more than four contiguous municipalities within any county  
37 of the fifth or sixth class, which route in either case does not, in  
38 whole or in part, parallel upon the same street the line of any street  
39 railway or traction railway or any other autobus route;

40 (6) an autocab, limousine, or livery service as defined in  
41 R.S.48:16-13 or section 2 of P.L.1997, c.356 (C.48:16-13.1), unless  
42 that service becomes or is held out to be regular service between  
43 stated termini;

44 (7) a vehicle used in a "ridesharing" arrangement, as defined by

**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 the "New Jersey Ridesharing Act of 1981," P.L.1981, c.413  
2 (C.27:26-1 et al.);

3 (8) a motor bus owned by, or operated under a contract with, the  
4 New Jersey Transit Corporation;

5 (9) charter bus operations, as defined in R.S.48:4-1;

6 (10) a vehicle designed to transport eight or more, but fewer than  
7 16, persons, including the driver, which is used exclusively for the  
8 transportation of persons between an off-airport parking facility and  
9 an airport;

10 (11) a special paratransit vehicle, as defined in R.S.48:4-1; or

11 (12) a vehicle that is owned or leased by a "boarding or nursing  
12 home," as defined by section 2 of P.L.1977, c.238 (C.26:2H-37), by  
13 an "assisted living facility," as defined by section 1 of P.L.2009,  
14 c.61 (C.26:2H-12.56), by an adult day health care facility or  
15 pediatric day health care facility licensed pursuant to P.L.1971,  
16 c.136 (C.26:2H-1 et al.), or by any facility or other entity licensed  
17 or approved by the Department of Human Services or the  
18 Department of Health to render services to New Jersey residents,  
19 and which is used to transport eight or more, but fewer than 16  
20 persons, including the driver, to and from recreational and social  
21 activities, shopping, and other health care providers; provided that  
22 no charge is assessed each time a patient, resident, or client utilizes  
23 the transportation service.

24 "Bill of Rights for Customers of Certain Autobuses" means the  
25 consumer protections, obligations of the owners and operators of  
26 autobuses, and basic expectations and guarantees of health, safety,  
27 and welfare established pursuant to section 6 of P.L.2013, c.224  
28 (C.56:16-4).

29 "For hire" means for direct or indirect hire, any service for which  
30 the driver of the vehicle is compensated, or which is included in the  
31 duties of the person who renders services for compensation, but  
32 shall not include transportation services that are provided to patients  
33 or residents of a "boarding or nursing home," as defined by section  
34 2 of P.L.1977, c.238 (C.26:2H-37), an "assisted living facility," as  
35 defined by section 1 of P.L.2009, c.61 (C.26:2H-12.56), an adult  
36 day health care facility or pediatric day health care facility licensed  
37 pursuant to P.L.1971, c.136 (C.26:2H-1 et al.), or to patients,  
38 residents, or clients of any facility or other entity that is licensed or  
39 approved by the Department of Human Services or the Department  
40 of Health to render services to New Jersey residents, unless a  
41 charge is assessed each time a patient, resident, or client utilizes the  
42 transportation services.

43 "Operator" means a person who is in actual physical control of  
44 an autobus.

45 "Owner" means a person who holds the legal title of an autobus,  
46 or if an autobus is the subject of an agreement for the conditional  
47 sale or lease thereof with the right of purchase upon performance of  
48 the conditions stated in the agreement and with an immediate right  
49 of possession vested in the conditional vendee or lessee, or if a

1 mortgagor of an autobus is entitled to possession, then the  
2 conditional vendee, lessee or mortgagor shall be considered the  
3 owner.

4 (cf: P.L.2015, c.31, s.1)

5  
6 2. (New section) The owner of an autobus shall register the  
7 autobus with each municipality in the State in which the owner or  
8 operator of the autobus seeks to operate the autobus and shall obtain  
9 consent from the elective governing body or member thereof having  
10 control of the public streets in the municipality prior to the autobus  
11 being operated on any street, as defined in R.S.48:16-1, within the  
12 municipality.

13  
14 3. Section 8 of P.L.2013, c.224 (C.56:16-6) is amended to read  
15 as follows:

16 8. A person who violates any of the provisions of section 6 of  
17 P.L.2013, c.224 (C.56:16-4) or section 2 of P.L. , c. (C. )  
18 (pending before the Legislature as this bill) shall be subject to a  
19 civil penalty of \$1,000 for a first violation, \$2,000 for a second  
20 violation, and \$5,000 for a third or subsequent violation. Each day  
21 upon which the violation continues shall constitute a separate  
22 offense. The penalty prescribed in this section shall be collected in  
23 a civil action by a summary proceeding pursuant to the "Penalty  
24 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).  
25 The Superior Court shall have jurisdiction of proceedings for the  
26 enforcement of the penalty provided by this section. Process shall  
27 be in the nature of a summons or warrant which shall issue upon the  
28 complaint of the Attorney General or any other person.

29 (cf: P.L.2013, c.224, s.8)

30  
31 4. This act shall take effect immediately.

### 32 33 34 STATEMENT

35  
36 This bill requires the owner of an autobus to register the autobus  
37 with each municipality in the State in which the owner or operator  
38 seeks to operate the autobus and to obtain consent from the governing  
39 body that has control of the public streets in the municipality prior to  
40 the autobus being operated within the municipality. A person who  
41 violates the provisions of the bill is subject to a civil penalty of \$1,000  
42 for a first violation, \$2,000 for a second violation, and \$5,000 for a  
43 third or subsequent violation. Each day that a violation continues  
44 constitutes a separate offense.

45 Under the bill, the term "autobus" applies to, with certain limited  
46 exceptions, a privately-owned autobus operated in intrastate or  
47 interstate business over the public highways in this State for the  
48 transportation of not more than 40 passengers for hire.