

**SENATE, No. 4086**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED NOVEMBER 27, 2023

**Sponsored by:**  
**Senator PATRICK J. DIEGNAN, JR.**  
**District 18 (Middlesex)**

**SYNOPSIS**

Modifies definition of “paratransit service” under various sections of law.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning paratransit services and amending various parts  
2 of the statutory law.

3

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

6

7 1. Section 3 of P.L.2020, c.114 (C.27:25-37) is amended to  
8 read as follows:

9 3. For the purposes of P.L.2020, c.114 (C.27:25-35 et seq.):

10 "Community organization" means an organization that provides  
11 programs and services to persons with disabilities.

12 "Corporation" means the New Jersey Transit Corporation.

13 "Corporation paratransit service" means the paratransit service  
14 that is managed, administered, or provided directly through the New  
15 Jersey Transit Corporation's operating budget, as a part of the  
16 Access Link program or any successor program to meet the  
17 requirements of the "Americans with Disabilities Act of 1990" (42  
18 U.S.C. s.12101 et seq.), and does not include services directly  
19 provided by county transit agencies.

20 "County transit agency" means a transportation service organized  
21 under or in conjunction with a county government to provide trips  
22 to senior citizens and residents with disabilities under the "Senior  
23 Citizen and Disabled Resident Transportation Assistance Act,"  
24 P.L.1983, c.578 (C.27:25-25 et seq.).

25 "Department" means, unless another meaning clearly applies, the  
26 Department of Human Services.

27 "Paratransit provider" means any organization or entity that  
28 provides paratransit services, including State and local transit  
29 agencies, directly or through contract service, and community  
30 organizations that provide transportation trips, either directly or  
31 through a third party, funded by the Department of Human Services  
32 or the Division of Vocational Rehabilitation Services within the  
33 Department of Labor and Workforce Development.

34 "Paratransit service" means and includes any transportation  
35 service other than fixed route transportation service**】, except that**  
36 "paratransit service" does not include private or charter services  
37 provided by taxicabs, limousines, or transportation network  
38 companies**】.**

39 (cf: P.L.2020, c.114, s.3)

40

41 2. Section 3 of P.L.1979, c.150 (C.27:25-3) is amended to read  
42 as follows:

43 3. As used in **【this act】** P.L.1979, c.150 (C.27:25-1 et seq.):

44 a. "Corporation" means the New Jersey Transit Corporation.

**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       b. "Motorbus regular route service" means and includes the  
2 operation of any motorbus or motorbuses on streets, public  
3 highways or other facilities, over a fixed route and between fixed  
4 termini on a regular schedule for the purpose of carrying passengers  
5 for hire or otherwise, in this State or between points in this State  
6 and points in other states.

7       c. "Capital equipment and facilities" means and includes, in  
8 connection with public transportation service, passenger stations,  
9 shelters and terminals, automobile parking facilities, ramps, track  
10 connections, signal systems, power systems, information and  
11 communication systems, roadbeds, transit lanes or rights of way,  
12 equipment storage and servicing facilities, bridges, grade crossings,  
13 rail cars, locomotives, ferries and ferry facilities, including capital  
14 projects for ferry terminals, approach roadways, pedestrian  
15 accommodations, parking, docks, ramps and other necessary land-  
16 side improvements, motorbus and other motor vehicles,  
17 maintenance and garage facilities, revenue handling equipment and  
18 any other equipment, facility or property useful for or related to the  
19 provision of public transportation service.

20       d. "Paratransit services" means and includes any transportation  
21 service~~],~~ other than motorbus regular route service ~~and charter~~  
22 services, including, but not limited to, dial-a-ride, nonregular route,  
23 jitney or community minibus, and shared-ride services such as  
24 vanpools, limousines or taxicabs which are regularly available to  
25 the public. Paratransit services shall not include limousine or  
26 taxicab service reserved for the private and exclusive use of  
27 individual passengers~~].~~

28       e. "Public transportation or public transportation service"  
29 means rail passenger service, motorbus regular route service,  
30 paratransit service, motorbus charter service, and ferry passenger  
31 service.

32       f. "Motorbus charter service" means and includes subscription,  
33 tour, other special motorbus services or school bus services or  
34 charter services as set forth in section 7 of P.L.1979, c.150  
35 (C.27:25-7).

36       g. "Rail passenger service" means and includes the operations  
37 of a railroad, subway, street, traction or electric railway for the  
38 purpose of carrying passengers in this State or between points in  
39 this State and points in other states.

40       h. "Ferry passenger service" means any service which involves  
41 the carriage of persons for compensation or hire by waterborne craft  
42 in this State or between points in this State and points in other  
43 states.

44 (cf: P.L.2005, c.91, s.1)

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46       3. Section 3 of P.L.1991, c.252 (C.27:25A-3) is amended to  
47 read as follows:

48       3. As used in this act:

1 "Air passenger service" means any service which involves the  
2 carriage of persons for compensation or hire by aircraft.

3 "Atlantic City Expressway" means the expressway project known  
4 as the Atlantic City Expressway constructed by the New Jersey  
5 Expressway Authority pursuant to section 40 of P.L.1962, c.10  
6 (C.27:12C-40).

7 "Atlantic City International Airport" means the airport  
8 authorized by section 24 of this act.

9 "Atlantic County Transportation Authority" means the county  
10 transportation authority authorized pursuant to P.L.1980, c.44  
11 (C.40:35B-1 et seq.).

12 "Authority" means the South Jersey Transportation Authority  
13 created by section 4 of this act.

14 "Bond" means any bond or note issued by the authority pursuant  
15 to the provisions of this act or issued by or for an original authority  
16 or any predecessor authority thereof, as the case may be.

17 "Commissioner" means the Commissioner of Transportation.

18 "Construction" or "construct" means the planning, designing,  
19 construction, reconstruction, rehabilitation, replacement, repair,  
20 extension, enlargement, improvement and betterment of expressway  
21 projects and transportation projects, and includes the demolition,  
22 clearance and removal of buildings or structures on land acquired,  
23 held, leased or used for those projects.

24 "Cost" means all or any part of the expenses incurred in  
25 connection with the acquisition, construction and maintenance of  
26 any real property, lands, structures, real or personal property rights,  
27 rights-of-way, franchises, easements, and interests acquired or used  
28 for a project; any financing charges and reserves for the payment of  
29 principal and interest on bonds or notes; the expenses of  
30 engineering, appraisal, architectural, accounting, financial and legal  
31 services; and other expenses as may be necessary or incident to the  
32 acquisition, construction and maintenance of a project, the  
33 financing thereof and the placing of the project into operation.

34 "County" means a county in South Jersey.

35 "Department" means the Department of Transportation.

36 "Economic development facility" means any area, place, building  
37 or other improvement or structure related to, connected with, or in  
38 the vicinity of, a transportation project which may serve the users of  
39 that project or assist in, enhance or stimulate its operation or  
40 development.

41 "Expressway project" means the acquisition, construction and  
42 maintenance of the Atlantic City Expressway as transferred to the  
43 authority pursuant to this act and of any express highway, super  
44 highway or motorway at the locations and between the termini as  
45 may hereafter be established by law and acquired or to be acquired  
46 or constructed or to be constructed under the provisions of this act  
47 by the authority, over which abutters have no easements or rights of  
48 light, air or direct access by reason of the fact that their properties

1 abut thereon, and shall include but not be limited to all bridges,  
2 parking facilities, tunnels, overpasses, underpasses, interchanges,  
3 traffic circles, grade separations, entrance plazas, approaches, toll  
4 houses, service areas, stations and facilities, communications  
5 facilities, administration, storage and other buildings, and other  
6 structures related to the use of the express highway, superhighway  
7 or motorway, intersecting highways and bridges and feeder roads  
8 which the authority may deem necessary or desirable for the  
9 operation of the project, together with all property rights, easements  
10 and interests which may be acquired by the authority for the  
11 construction or the operation of the project, and includes any  
12 planning necessary for the execution of any expressway project.

13 "Feeder road" means any road which in the determination of the  
14 authority is necessary to create or facilitate access to a project and  
15 is not more than five miles in length from the point of its  
16 connection with the project.

17 "Land and improvements" means any area or lands, any interest,  
18 right or title in land, including but not limited to, any reversionary  
19 right, and any real or personal property, structure, facility, building  
20 or equipment.

21 "Marine passenger service" means any service which involves  
22 the carriage of persons for compensation or hire by waterborne  
23 craft.

24 "Motorbus charter service" means subscription, tour and other  
25 special motorbus services.

26 "Motorbus regular route service" means the operation of any  
27 motorbus or motorbuses on streets, public highways or other  
28 facilities, over a fixed route and between fixed termini on a regular  
29 schedule for the purpose of carrying passengers, for hire or  
30 otherwise, within South Jersey or between points within South  
31 Jersey and points without South Jersey.

32 "Municipality" means any city, borough, village, town or  
33 township in South Jersey but not a county or a school district.

34 "New Jersey Expressway Authority" means the authority created  
35 pursuant to P.L.1962, c.10 (C.27:12C-1 et seq.).

36 "Original authority" means the New Jersey Expressway  
37 Authority or the Atlantic County Transportation Authority.

38 "Paratransit service" means any transportation service~~[],~~ other  
39 than motorbus regular route service ~~and~~ motorbus charter service,  
40 including but not limited to, dial-a-ride, non-regular route, jitney or  
41 community minibus, and shared-ride services such as vanpools,  
42 limousines or taxicabs which are regularly available to the public.  
43 Paratransit services shall not include limousine or taxicab service  
44 reserved for the private and exclusive use of individual passengers~~].~~

45 "Parking facility" means any area or place, garage, building, or  
46 other improvement or structure for the parking or storage of motor  
47 or other vehicles, including but not limited to all real property and  
48 personal property, driveways, roads and other structures or areas

1 necessary or useful or convenient for access to a facility from a  
2 public street, road or highway, or from any transportation project;  
3 meters, mechanical equipment necessary or useful or convenient for  
4 or in connection with that parking or storage; and any structures,  
5 buildings, space or accommodations, whether constructed by an  
6 authority or by the lessee, to be leased for any business, commercial  
7 or other use, including the sale of gasoline or accessories for, or the  
8 repair or other servicing of automobiles and other motor vehicles,  
9 if, in the opinion of the authority, the inclusion, provision and  
10 leasing is necessary to assist in defraying the expenses of the  
11 authority and make possible the operation of the parking facility at  
12 reasonable rates, but the authority shall not itself engage in the sale  
13 of gasoline or accessories for, or in the repair or other servicing of  
14 automobiles or other motor vehicles except in emergency, nor in the  
15 sale of any service or commodity of trade or commerce.

16 "Project" means an expressway project or transportation project  
17 and the costs associated therewith.

18 "Public highway" means any public highway, road or street in  
19 South Jersey, including federal aid highways, whether maintained  
20 by the State or by a county, municipality or other governmental  
21 subdivision in South Jersey.

22 "Public transportation facility" means, in connection with public  
23 transportation service, passenger stations, shelters and terminals,  
24 automobile and bus parking facilities, ramps, track connections,  
25 signal systems, power systems, information and communication  
26 systems, roadbeds, transit lanes or rights-of-way, equipment storage  
27 and servicing facilities, bridges, grade crossings, rail cars,  
28 locomotives, motorbuses and other motor vehicles, maintenance and  
29 garage facilities, revenue handling equipment and any other  
30 equipment, facility or property useful or related to the provision of  
31 transportation service.

32 "Public transportation service" means rail passenger service,  
33 motorbus regular route service, paratransit service, motorbus  
34 charter service and marine passenger service.

35 "Rail passenger service" means the operation of railroad,  
36 subway, or light rail systems including fixed and automated  
37 guideway systems for the purpose of carrying passengers in South  
38 Jersey or between points within South Jersey and points without  
39 South Jersey.

40 "Real property" means lands within the State, above or below  
41 water, and improvements thereof or thereon, or any riparian or other  
42 rights or interests therein.

43 "South Jersey" means the area encompassing the counties of  
44 Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem.

45 "Transfer date" means, with respect to the New Jersey  
46 Expressway Authority, the date on which all bonds issued by the  
47 New Jersey Expressway Authority cease to be outstanding within  
48 the meaning of the resolutions pursuant to which those bonds were

1 issued, as certified by the trustee or trustees thereunder and, with  
2 respect to the Atlantic County Transportation Authority, the date on  
3 which New Jersey Economic Development Authority first mortgage  
4 revenue bonds, series of 1980, dated July 1, 1980, (New York  
5 Parking Associates - Parking Authority of Atlantic City project)  
6 issued by the New Jersey Economic Development Authority cease  
7 to be outstanding within the meaning of the indenture pursuant to  
8 which those bonds were issued, as certified by the trustees  
9 thereunder or the date on which the South Jersey Transportation  
10 Authority certifies to the Atlantic County Transportation Authority  
11 for a predecessor authority to the Atlantic County Transportation  
12 Authority and the State Treasurer that it assumes all debts and  
13 obligations of the Atlantic County Transportation Authority.

14 "Transportation facility" means any area, place, building, or  
15 other structure designed to provide rail passenger service, motorbus  
16 regular route service, paratransit service, motorbus charter service,  
17 air passenger and air freight service, or marine passenger service, or  
18 any two or more of these services, to the public, and includes  
19 passenger stations, shelters and terminals, air passenger terminals,  
20 hangars, heliports, docking and launching facilities, parking  
21 facilities, ramps, track connections, signal systems, power systems,  
22 information and communication systems, roadbeds, transit lanes or  
23 rights-of-way, equipment storage and servicing facilities, bridges,  
24 grade crossings, rail cars, locomotives, motorbus and other motor  
25 vehicles, boats, ferries and other marine vehicles, aircraft,  
26 maintenance and garage facilities, revenue handling equipment and  
27 any other equipment, facility or property useful for or related to the  
28 provision of these services;

29 "Transportation project" means the acquisition, construction, and  
30 maintenance of an airport, public transportation facility or other  
31 transportation facility, established by this act or which may be  
32 hereafter established by law and may include related facilities and  
33 activities which may consist of public transportation services,  
34 public transportation facilities, including but not limited to rail and  
35 bus stations and terminals, noise abatement projects, parking  
36 facilities, public highways and feeder roads related to or connected  
37 with the project, and any economic development facilities as  
38 defined in this section. Transportation project includes any planning  
39 necessary to develop a comprehensive, efficient, convenient or  
40 economical transportation system in South Jersey, any planning or  
41 marketing necessary or desirable for the execution of any  
42 transportation project, and any planning, acquisition, construction  
43 or operation of economic development facilities related to,  
44 connected with, or in the vicinity of the project.

45 "Transportation system" means public highways, expressway  
46 projects, transportation projects, and all other methods of  
47 transportation for the movement of people and goods in South  
48 Jersey.

1 "Transportation Trust Fund Authority" means the New Jersey  
2 Transportation Trust Fund Authority established by section 4 of  
3 P.L.1984, c.73 (C.27:1B-4).  
4 (cf: P.L.1991, c.252, s.3)

5  
6 4. This act shall take effect immediately.  
7  
8

9 STATEMENT  
10

11 This bill modifies the definition of "paratransit service" under  
12 various sections of law to mean and include any transportation  
13 service other than fixed route transportation service or motorbus  
14 regular route service.

15 Under current law, the definition of "paratransit service"  
16 generally excludes private or charter services provided by taxicabs,  
17 limousines, or transportation network companies. The bill removes  
18 this exclusion from the various definitions of this term.

19 The bill's expanded definition of "paratransit service" may  
20 enable paratransit service operators, including New Jersey Transit,  
21 to contract with certain paratransit service providers that are  
22 otherwise disqualified under current law, including, but not limited  
23 to, the providers of private or charter services via taxicabs,  
24 limousines, or transportation network companies.