

[Second Reprint]

**ASSEMBLY, No. 2180**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman WILLIAM F. MOEN, JR.**

**District 5 (Camden and Gloucester)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator VINCENT J. POLISTINA**

**District 2 (Atlantic)**

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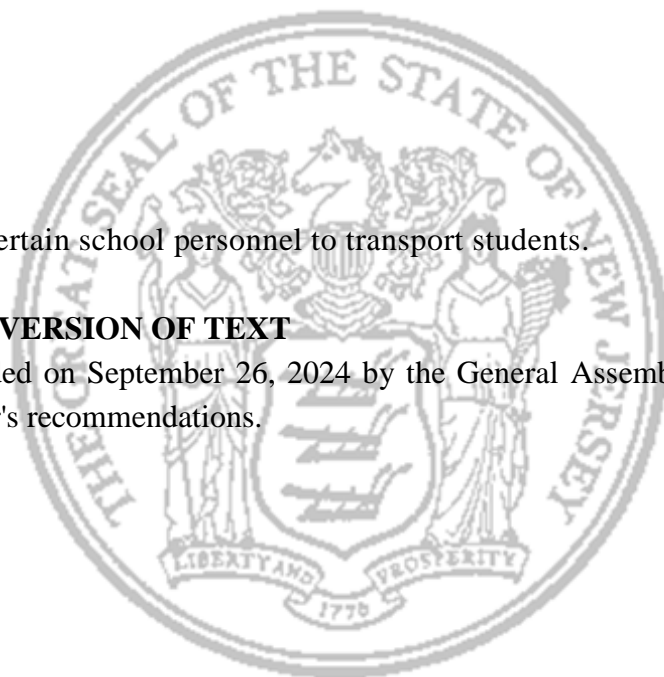
**Assemblymen Sauickie, S.Kean, Assemblywoman Reynolds-Jackson,  
Assemblymen Stanley, Atkins, Sampson, Assemblywomen Fantasia, Katz,  
Flynn, Assemblyman Inganamort, Assemblywomen Speight, Carter,  
Senators Space, Diegnan, Gopal, Holzapfel and Ruiz**

**SYNOPSIS**

Permits certain school personnel to transport students.

**CURRENT VERSION OF TEXT**

As amended on September 26, 2024 by the General Assembly pursuant to the Governor's recommendations.



**(Sponsorship Updated As Of: 5/20/2024)**

1 AN ACT concerning school transportation, <sup>2</sup> [supplementing Title 39  
2 of the Revised Statutes, and amending various parts of the  
3 statutory law] amending P.L.2015, c.268 (C.18A:39-20.1)<sup>2</sup>.

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

7  
8 <sup>2</sup>[1. (New section) a. As used in this section:

9 “Type S school bus” means a motor vehicle that: (1) is operated  
10 by, or under contract with, a public school, nonpublic school,  
11 charter school, renaissance school, or approved private school for  
12 students with disabilities for the transportation of students to and  
13 from school for secular or religious education and for school-related  
14 activities; and (2) has a gross vehicle weight rating of 3,000 pounds  
15 or more, which vehicle was originally designed by the manufacturer  
16 with a maximum seating capacity of nine passengers or less,  
17 excluding the driver.

18 “Type S School Bus Certificate” or “certificate” means a  
19 certificate, issued and recorded by the New Jersey Motor Vehicle  
20 Commission, obtained by an individual who has successfully  
21 completed certain requirements as established by the New Jersey  
22 Motor Vehicle Commission pursuant to subsection b. of this  
23 section.

24 b. A person who meets all of the following requirements shall be  
25 eligible to obtain a Type S school bus certificate from the New  
26 Jersey Motor Vehicle Commission:

27 (1) is at least 21 years old;

28 (2) has held a valid basic driver’s license for a minimum of  
29 three years;

30 (3) has passed a physical and eye examination;

31 (4) has completed and passed a knowledge examination pursuant  
32 to R.S.39:3-10.1;

33 (5) has completed the training program established in  
34 accordance with P.L.2015, c.123 (C.18A:39-19.2 et seq.) on  
35 appropriate procedures for interacting with students with special  
36 needs; and

37 (6) has completed any other conditions as determined by the  
38 Chief Administrator of the New Jersey Motor Vehicle Commission  
39 in collaboration with the Commissioner of Education.

40 c. Notwithstanding any other law, rule, or regulation to the  
41 contrary, the holder of a valid non-commercial basic driver’s  
42 license and a certificate may operate a Type S school bus to  
43 transport children to and from school for secular or religious

**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.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup>Assembly AED committee amendments adopted March 11, 2024.

<sup>2</sup>Assembly amendments adopted in accordance with Governor's recommendations September 26, 2024.

1 education and for school-related activities and shall not be required  
2 to obtain a commercial driver license, passenger endorsement, or  
3 school bus endorsement.

4 d. A school bus driver or driver as referenced in the following  
5 provisions of law shall include a person who drives a Type S school  
6 bus pursuant to this section:

- 7 (1) N.J.S.18A:25-2;
- 8 (2) section 13 of P.L.1998, c.31 (C.18A:6-7.2a);
- 9 (3) N.J.S.18A:39-17;
- 10 (4) N.J.S.18A:39-18;
- 11 (5) section 6 of P.L.1989, c.104 (C.18A:39-19.1);
- 12 (6) section 1 of P.L.2018, c.160 (C.18A:39-19.1a);
- 13 (7) P.L.2015, c.123 (C.18A:39-19.2 et seq.);
- 14 (8) section 1 of P.L.2018, c.152 (C.18A:39-19.6);
- 15 (9) N.J.S.18A:39-20;
- 16 (10) P.L.2003, c.19 (C.18A:39-26 et seq.);
- 17 (11) section 1 of P.L.2007, c.77 (C.18A:39-28);
- 18 (12) section 6 of P.L.2009, c.131 (C.18A:40-12.16);
- 19 (13) section 9 of P.L.2009, c.131 (C.18A:40-12.19);
- 20 (14) section 3 of P.L.2019, c.290 (C.18A:40-12.36);
- 21 (15) section 5 of P.L.2019, c.290 (C.18A:40-12.38);
- 22 (16) section 2 of P.L.1975, c.284 (C.39:3-10.1a);
- 23 (17) section 6 of P.L.2003, c.66 (C.39:3-10.32); and
- 24 (18) section 1 of P.L.2002, c.120 (C.39:3B-25).<sup>2</sup>

25  
26 <sup>2</sup>[2. Section 1 of P.L.2017, c.347 (C.2C:40-26.1) is amended to  
27 read as follows:

28 1. a. For the purposes of this section, **["school"]**;  
29 "School bus" shall have the meaning set forth in R.S.39:1-1.  
30 "Type S school bus" shall have the meaning set forth in section 1  
31 of P.L. , c. (C. ) (pending before the Legislature as this  
32 bill).

33 b. A person, knowingly operating a school bus or Type S  
34 school bus transporting one or more students, while that person's  
35 driving privileges have been suspended or revoked shall be guilty of  
36 a crime of the fourth degree.

37 c. A person, knowingly operating a school bus or Type S  
38 school bus while that person's driving privileges have been  
39 suspended or revoked, who is involved in an accident resulting in  
40 bodily injury to another person shall be guilty of a crime of the third  
41 degree.

42 (cf: P.L.2017, c.347, s.1)<sup>2</sup>

43  
44 <sup>2</sup>[3. Section 2 of P.L.2017, c.347 (C.18A:39-19.5) is amended  
45 to read as follows:

46 2. a. The Chief Administrator of the New Jersey Motor Vehicle  
47 Commission shall revoke for life the passenger endorsement on the

1 commercial driver's license of a person convicted of a violation of  
2 subsection b. or subsection c. of section 1 of P.L.2017, c.347  
3 (C.2C:40-26.1).

4 b. The chief administrator shall revoke for life the special  
5 license issued pursuant to R.S.39:3-10.1, or the Type S school bus  
6 certificate issued pursuant to section 1 of P.L. , c. (C. )  
7 (pending before the Legislature as this bill), to a person convicted  
8 of a violation of subsection b. or subsection c. of section 1 of  
9 P.L.2017, c.347 (C.2C:40-26.1).  
10 (cf: P.L.2017, c.347, s.2)]<sup>2</sup>

11  
12 <sup>2</sup>[4. Section 2 of P.L.2007, c.77 (C.18A:39-29) is amended to  
13 read as follows:

14 2. a. In the event that, after notice and opportunity to be heard,  
15 a school bus driver or driver of a Type S school bus pursuant to  
16 P.L. , c. (C. ) (pending before the Legislature as this bill) is  
17 found to have left a pupil on the school bus or a Type S school bus  
18 as defined in section 1 of P.L. , c. (C. ) (pending before the  
19 Legislature as this bill), at the end of **[his]** the driver's route, **[his]**  
20 the driver's school bus endorsement or Type S school bus  
21 certificate, in the case of a Type S school bus driver, shall be:

22 (1) suspended for six months, for a first offense; or

23 (2) permanently revoked, for a second offense.

24 b. In the event of a suspension of a Type S school bus certificate  
25 pursuant to this section, the driver shall complete a 10 hour training  
26 course approved by the chief administrator, of which, two hours  
27 shall include instruction on post-trip inspection procedures. The  
28 training required pursuant to this subsection shall be completed  
29 before the driver's Type S school bus certificate is reinstated.

30 (cf: P.L.2007, c.77, s.2)]<sup>2</sup>

31  
32 <sup>2</sup>[5. Section 3 of P.L.2007, c.77 (C.18A:39-30) is amended to  
33 read as follows:

34 3. In the event that a pupil, who was left on a bus by a school  
35 bus driver at the end of the route, including a pupil who is left on a  
36 Type S school bus as defined in section 1 of P.L. , c. (C. )  
37 (pending before the Legislature as this bill) by the driver of a Type  
38 S school bus pursuant to section 1 of P.L. , c. (C. ) (pending  
39 before the Legislature as this bill), is harmed as a result of  
40 foreseeable danger and the driver is found, after notice and  
41 opportunity to be heard, to have acted with gross negligence, **[his]**  
42 the driver's school bus endorsement or Type S School Bus  
43 certificate, in the case of a Type S school bus driver, shall be  
44 permanently revoked.

45 (cf: P.L.2007, c.77, s.3)]<sup>2</sup>

1       <sup>2</sup>[6. Section 1 of P.L.2019, c.9 (C.39:3-10.1b) is amended to  
2 read as follows:

3       1. a. For the purposes of this section:

4       "Chief administrator" means the Chief Administrator of the New  
5 Jersey Motor Vehicle Commission.

6       "Commercial motor vehicle" shall have the same meaning as  
7 provided in section 3 of P.L.1990, c.103 (C.39:3-10.11).

8       "Motor vehicle moving violation" means any violation of the  
9 motor vehicle laws of this State or any other jurisdiction for which  
10 motor vehicle points are assessed by the chief administrator  
11 pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5) or any  
12 violation of the motor vehicle laws of any other jurisdiction for  
13 which motor vehicle points would be assessed if that violation had  
14 occurred in this State.

15       "Non-commercial motor vehicle" shall have the same meaning as  
16 provided in section 3 of P.L.1990, c.103 (C.39:3-10.11).

17       "Type S school bus" means a motor vehicle that: (1) is operated  
18 by, or under contract with, a public school, nonpublic school,  
19 charter school, renaissance school, or approved private school for  
20 students with disabilities for the transportation of students to and  
21 from school for secular or religious education and for school-related  
22 activities; and (2) has a gross vehicle weight rating of 3,000 pounds  
23 or more, which vehicle was originally designed by the manufacturer  
24 with a maximum seating capacity of nine passengers or less,  
25 excluding the driver.

26       b. The chief administrator shall suspend the school bus  
27 endorsement of a person, or the Type S school bus certificate of a  
28 person who drives a Type S school bus pursuant to section 1 of  
29 P.L. , c. (C. ) (pending before the Legislature as this bill),  
30 for 90 days following the date of the last conviction, or upon  
31 notification of an out-of-State conviction, whichever date is later in  
32 time, if the person is convicted of three or more motor vehicle  
33 moving violations in a three-year period or accumulates six or more  
34 motor vehicle penalty points while operating a commercial motor  
35 vehicle or non-commercial motor vehicle.

36       c. The chief administrator shall notify the Commissioner of  
37 Education of the suspension of a **[school bus]** driver's school bus  
38 endorsement or Type S school bus certificate pursuant to subsection  
39 b. of this section within one business day following the date of the  
40 suspension.

41       d. Upon notification from the chief administrator pursuant to  
42 subsection c. of this section, the Commissioner of Education shall  
43 notify the board of education that employs the **[school bus]** driver,  
44 the nonpublic school that employs the **[school bus]** driver, or the  
45 contractor that employs the **[school bus]** driver that the **[school**  
46 **bus]** driver's school bus endorsement or Type S school bus  
47 certificate has been suspended pursuant to subsection b. of this

1 section within one business day following the date of notification of  
2 the suspension. If a board of education, a nonpublic school, or a  
3 contractor that employs the **【school bus】** driver is notified by the  
4 commissioner that the **【school bus】** driver's school bus endorsement  
5 or Type S school Bus certificate has been suspended, the employing  
6 board of education, nonpublic school, or contractor, within 24 hours  
7 of the notification, shall provide a statement to the Department of  
8 Education verifying that the **【school bus】** driver no longer operates  
9 a school bus or Type S school bus for the board, nonpublic school,  
10 or contractor.

11 e. Prior to the reinstatement of any school bus endorsement or  
12 Type S school bus certificate suspended pursuant to subsection b. of  
13 this section, the chief administrator shall require:

14 (1) the person to complete a defensive driving course approved  
15 by the chief administrator **【and】**;

16 (2) the person to complete a 10 hour training course approved by  
17 the chief administrator, of which, two hours shall include  
18 instruction on post-trip inspection procedures.

19 The chief administrator may require the person to fulfill any  
20 other requirement that the chief administrator deems appropriate  
21 prior to reinstatement of any school bus endorsement or Type S  
22 school bus certificate.

23 f. This section shall apply to convictions that occur after the  
24 effective date of P.L.2019, c.9 (C.39:3-10.1b).

25 (cf: P.L.2019, c.9, s.1)]<sup>2</sup>

26  
27 <sup>2</sup>1. Section 1. of P.L.2015, c.268 (C.18A:39-20.1) is amended to  
28 read as follows:

29 1. a. Notwithstanding any statute or regulation to the contrary,  
30 any board of education, governing body of a nonpublic school or  
31 State agency may authorize qualified school personnel, State  
32 employees or parents, to transport school children to and from  
33 related school activities in a private vehicle with a capacity of eight  
34 or less. The board of education, governing body of a nonpublic  
35 school or State agency may also designate school personnel to  
36 transport school children to and from school. The designated  
37 personnel will only be deemed qualified to transport school children  
38 to and from school if the designated school personnel meet the  
39 following criteria:

40 (1) be at least 21 years of age;

41 (2) posses a New Jersey driver's license for a minimum of three  
42 years;

43 (3) have a completed physical on file with the school district or  
44 local education agency;

45 (4) have a completed a criminal history background check by the  
46 New Jersey Department of Education and a Child Abuse Record  
47 Information check;

1       (5) submit a driving record for the past five years demonstrating  
2 evidence of no alcohol or drug-related motor vehicle violations; and

3       (6) has completed the training program established in accordance  
4 with P.L.2015, c.123 (C.18A:39-19.2 et seq.) on appropriate  
5 procedures for interacting with students with special needs.

6       The designated personnel that meet these criteria must utilize a  
7 vehicle that does not exceed a maximum seating capacity of 8  
8 passengers, excluding the driver to transport school children to and  
9 from school.

10       Any person authorized by a board, body or agency to provide  
11 such transportation services shall not be required to be licensed or  
12 regulated as a school bus driver. Such transportation shall be  
13 exempt from all registration, equipment, inspection and  
14 maintenance requirements imposed on the transportation of pupils  
15 by school bus. Evidence of appropriate automobile insurance  
16 requirements for the vehicle must be submitted by the board of  
17 education, governing body of a nonpublic school or State agency to  
18 the Executive County Superintendent by a date set by the  
19 Commissioner of the New Jersey Department of Education.

20       Each year prior to transporting school children, the board of  
21 education, governing body of a nonpublic school or State agency  
22 designating school personnel as qualified to transport school  
23 children to and from school pursuant to this law, must submit the  
24 list of designated drivers to the Executive County Superintendent by  
25 a date set by the Commissioner of the New Jersey Department of  
26 Education. Only school personnel submitted by that date will be  
27 eligible to transport school children to and from school for a given  
28 school year.

29       The board of education, governing body of a nonpublic school or  
30 State agency designating school personnel as qualified to transport  
31 school children to and from school pursuant to this law, must also  
32 submit periodic copies of the designated personnel's driving record  
33 showing no alcohol or drug-related motor vehicle violations, or any  
34 other motor vehicle violations motor vehicle violations that would  
35 disqualify the driver's eligibility of transporting school children  
36 pursuant to Titles 18A and Title 39 to the Executive County  
37 Superintendent by a date set, and at a frequency set, by the  
38 Commissioner of the New Jersey Department of Education. Failure  
39 to provide the requisite driving record within the prescribed time  
40 frame will result in the removal of that individual from the list of  
41 designated drivers.

42       b. Notwithstanding any statute or regulation to the contrary, any  
43 board of education, governing body of a nonpublic school or State  
44 agency may authorize a person certified as a mobility assistance  
45 vehicle technician to transport a student with medical needs to and  
46 from school or related school activities in a mobility assistance  
47 vehicle. Any certified mobility assistance vehicle technician  
48 authorized by a board, body or agency to provide such

1 transportation services shall not be required to be licensed or  
2 regulated as a school bus driver. Such transportation shall be  
3 exempt from all registration, equipment, inspection and  
4 maintenance requirements imposed on the transportation of students  
5 by a school bus.

6 Each year prior to transporting students, a certified mobility  
7 assistance vehicle technician who transports a student with medical  
8 needs in accordance with this section shall furnish to the executive  
9 county superintendent a criminal history background check and  
10 evidence of a check for the technician's record of alcohol and drug-  
11 related motor vehicle violations.

12 For the purposes of this subsection, "student with medical  
13 needs," means a school-aged child who suffers from a life-  
14 threatening medical condition, and as a result of such condition,  
15 requires more individualized and continuous care.<sup>2</sup>

16 (cf: P.L.2015, c.268, s.1)

17

18 <sup>2</sup>[7.] 2.<sup>2</sup> This act shall take effect on the first day of the <sup>1</sup>[2023-  
19 2024] first full<sup>1</sup> school year next following the date of enactment<sup>1</sup>,  
20 except that <sup>2</sup>[the Chief Administrator of the New Jersey Motor  
21 Vehicle Commission and]<sup>2</sup> the Commissioner of Education may  
22 take any anticipatory administrative action in advance as may be  
23 necessary for the timely implementation of this act.