

**ASSEMBLY, No. 4416**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED MAY 16, 2024

**Sponsored by:**

**Assemblywoman VICTORIA A. FLYNN**

**District 13 (Monmouth)**

**Assemblyman GERRY SCHARFENBERGER**

**District 13 (Monmouth)**

**SYNOPSIS**

Requires school buses that transport students with special needs to be equipped with certain safety features.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT requiring certain school buses to be equipped with certain  
2 equipment and supplementing Title 39 of the Revised Statutes.

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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. a. Every school bus, as defined in R.S.39:1-1, that  
8 transports one or more students with special needs shall be  
9 equipped with:

10 (1) a video camera on the interior of the school bus to monitor  
11 student safety while the students are being transported;

12 (2) a global positioning system that provides information about  
13 the location and speed of each school bus in real time; and

14 (3) two-way communications equipment, which may include,  
15 but not be limited to, a cellular or other wireless telephone.

16 b. Notwithstanding the provisions of this section, a school bus  
17 driver shall comply with the provisions of section 1 of P.L.2002,  
18 c.120 (C.39:3B-25) while operating a school bus.

19 c. Any video footage collected from a video camera and any  
20 global positioning system data collected from the global positioning  
21 system pursuant to this section shall not be considered a  
22 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
23 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
24 access to government records.

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26 2. The State Board of Education, in consultation with the New  
27 Jersey Motor Vehicle Commission, shall promulgate, pursuant to  
28 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
29 et seq.), rules and regulations concerning: the installation and use of  
30 video cameras, global positioning systems, and two-way  
31 communications equipment as required pursuant to section 1 of  
32 P.L. , c. (C. ) (pending before the Legislature as this bill)  
33 on school buses that transport students with special needs; the use  
34 of data collected from the global positioning systems; and the  
35 retention of video footage from the video cameras, including, but  
36 not limited to, a minimum and maximum amount of time that  
37 footage may be retained.

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39 3. This act shall take effect on the first day of the sixth month  
40 after enactment, but the Commissioner of Education and the Chief  
41 Administrator of the New Jersey Motor Vehicle Commission may  
42 take such administrative action in advance as shall be necessary for  
43 the implementation of this act.

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#### STATEMENT

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47 This bill requires school buses that transport students with  
48 special needs to be equipped with: a video camera on the interior of

1 the school bus to monitor student safety; a global positioning  
2 system that provides information about the location and speed of  
3 each school bus in real time; and two-way communications  
4 equipment. The bill requires a school bus driver to comply with the  
5 provisions of law that prohibit a school bus driver from using a  
6 cellular or other wireless telephone while operating a school bus.  
7 The bill provides that video footage and global positioning system  
8 data collected from a school bus video camera and global  
9 positioning system are not to be considered government records.

10 Under the bill, the State Board of Education, in consultation with  
11 the New Jersey Motor Vehicle Commission, is to promulgate rules  
12 concerning the installation and use of the video cameras, global  
13 positioning systems, and two-way communications equipment; the  
14 use of data collected from the global positioning systems; and the  
15 retention of video footage, including, but not limited to, the  
16 minimum and maximum amount of time that the footage may be  
17 retained.

18 The bill is inspired by Emma, a non-verbal, special needs student  
19 who experienced a stressful and upsetting event when her bus driver  
20 became lost for several hours while transporting her, and fellow  
21 students, to school. The experience was traumatic for Emma, who  
22 was unaware of where the school bus was going and was unable to  
23 communicate with the school bus driver. The bill seeks to prevent  
24 similar traumatic events from occurring in the future.