

[First Reprint]

**SENATE, No. 3000**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED MARCH 18, 2024

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator VINCENT J. POLISTINA**

**District 2 (Atlantic)**

**Co-Sponsored by:**

**Senators Space, Diegnan, Gopal, Holzapel and Ruiz**

**SYNOPSIS**

Permits certain persons to operate Type S school buses.

**CURRENT VERSION OF TEXT**

As reported by the Senate Transportation Committee on May 6, 2024, with amendments.



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

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2

1 AN ACT concerning school transportation, supplementing Title 39  
2 of the Revised Statutes, and amending various parts of the  
3 statutory law.

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

7  
8 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  
25 be 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  
32 pursuant 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  
44 education and for school-related activities and shall not be required

**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>Senate STR committee amendments adopted May 6, 2024.

1 to obtain a commercial driver license, passenger endorsement, or  
2 school bus endorsement.

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

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

24  
25 2. Section 1 of P.L.2017, c.347 (C.2C:40-26.1) is amended to  
26 read as follows:

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

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

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

41 (cf: P.L.2017, c.347, s.1)

42  
43 3. Section 2 of P.L.2017, c.347 (C.18A:39-19.5) is amended to  
44 read as follows:

45 2. a. The Chief Administrator of the New Jersey Motor  
46 Vehicle Commission shall revoke for life the passenger  
47 endorsement on the commercial driver's license of a person

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1 convicted of a violation of subsection b. or subsection c. of section  
2 1 of P.L.2017, c.347 (C.2C:40-26.1).

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

10

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

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

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

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

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

30 (cf: P.L.2007, c.77, s.2)

31

32 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)

46

47 6. Section 1 of P.L.2019, c.9 (C.39:3-10.1b) is amended to read  
48 as follows:

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

2       "Chief administrator" means the Chief Administrator of the New  
3 Jersey Motor Vehicle Commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (cf: P.L.2019, c.9, s.1)

24

25 7. This act shall take effect on the first day of the <sup>1</sup>**【2023-2024】**  
26 first full<sup>1</sup> school year<sup>1</sup> next following the date of enactment<sup>1</sup>, except  
27 that the Chief Administrator of the New Jersey Motor Vehicle  
28 Commission and the Commissioner of Education may take any  
29 anticipatory administrative action in advance as may be necessary for  
30 the timely implementation of this act.