

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4835

STATE OF NEW JERSEY

DATED: JUNE 15, 2023

The Assembly Labor Committee reports favorably Assembly Bill No. 4835.

This bill permits the holder of a Type S school bus certificate to operate a Type S school bus to transport children to and from school without obtaining a commercial driver's license, passenger endorsement, or school bus endorsement. A person is required to meet certain requirements described in the bill to be eligible for a Type S school bus certificate. Such drivers are subject to certain provisions of law applicable to school bus drivers as enumerated in the bill.

The bill provides that a person who knowingly operates a Type S school bus while the person's driving privileges are suspended or revoked is guilty of a crime of the fourth degree. A person who does so and is involved in an accident resulting in bodily injury to another person is guilty of a crime of the third degree.

The bill also provides that the Type S school bus certificate of a driver of a Type S school bus, who is found to have left a pupil on the Type S school bus at the end of the route, is to be suspended for six months for a first offense or permanently revoked for a second offense. The Type S school bus certificate of a driver of a Type S school bus is to be permanently revoked if the a pupil, who was left on the Type S school bus at the end of the route, was harmed as a result of foreseeable danger and the driver acted with gross negligence or if the driver operated a Type S school bus while the driver's driving privileges were suspended. In the event of a suspension of a Type S school bus certificate, the driver is required to complete a 10 hour training course, approved by the Chief Administrator of the New Jersey Motor Vehicle Commission (chief administrator), before the driver's Type S school bus certificate is reinstated.

The bill requires the chief administrator to suspend the Type S school bus certificate of a driver of a Type S school bus for 90 days if the driver is convicted of three or more motor vehicle moving violations in a three-year period or accumulates six or more motor vehicle penalty points while operating a commercial motor vehicle or non-commercial motor vehicle.

Under the bill, the chief administrator is required to notify the Commissioner of Education of the suspension of the driver's Type S school bus certificate and the Commissioner of Education is to notify the driver's employer that the driver's Type S school bus certificate

has been suspended. The employer is then required to provide a statement to the Department of Education that the driver no longer operates a Type S school bus. A driver of a Type S school bus is required to complete a defensive driving course before the driver's Type S school bus certificate may be reinstated. Under the bill, before a school bus endorsement or Type S school bus certificate is reinstated after suspension for accumulating a certain number of motor vehicle penalty points or for being convicted of a certain number of motor vehicle moving violations, the driver is required to complete a 10 hour training course approved by the chief administrator.

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