

COMMITTEE STATEMENT:	ASSEMBLY:	No
	SENATE:	Yes Transportation Budget & Administration

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
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LEGISLATIVE FISCAL ESTIMATE:	No
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VETO MESSAGE:	Yes
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GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
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FOLLOWING WERE PRINTED:

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REPORTS:	No
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HEARINGS:	No
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NEWSPAPER ARTICLES:	No
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CL/MM

T & E
and Note to
C.27:25-1,
C.27:25-25,
C.27:25-35 and
C.34:16-51

P.L. 2024, CHAPTER 82, *approved October 4, 2024*
Assembly, No. 2607 (*Second Reprint*)

1 AN ACT concerning paratransit services ¹and amending various parts of
2 the statutory law¹.

3

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

6

7 ¹Section 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.

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:

¹Senate SBA committee amendments adopted June 24, 2024.

²Assembly amendments adopted in accordance with Governor's recommendations
September 19, 2024.

1 "Paratransit service" means and includes any transportation
2 service other than fixed route transportation service【, except that
3 "paratransit service" does not include private or charter services
4 provided by taxicabs, limousines, or transportation network
5 companies】.

6 (cf: P.L.2020, c.114, s.3)】¹

7
8 ¹【2.Section 3 of P.L.1979, c.150 (C.27:25-3) is amended to read
9 as follows:

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

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

12 b. "Motorbus regular route service" means and includes the
13 operation of any motorbus or motorbuses on streets, public
14 highways or other facilities, over a fixed route and between fixed
15 termini on a regular schedule for the purpose of carrying passengers
16 for hire or otherwise, in this State or between points in this State
17 and points in other states.

18 c. "Capital equipment and facilities" means and includes, in
19 connection with public transportation service, passenger stations,
20 shelters and terminals, automobile parking facilities, ramps, track
21 connections, signal systems, power systems, information and
22 communication systems, roadbeds, transit lanes or rights of way,
23 equipment storage and servicing facilities, bridges, grade crossings,
24 rail cars, locomotives, ferries and ferry facilities, including capital
25 projects for ferry terminals, approach roadways, pedestrian
26 accommodations, parking, docks, ramps and other necessary land-
27 side improvements, motorbus and other motor vehicles,
28 maintenance and garage facilities, revenue handling equipment and
29 any other equipment, facility or property useful for or related to the
30 provision of public transportation service.

31 d. "Paratransit services" means and includes any transportation
32 service【,】 other than motorbus regular route service 【and charter
33 services, including, but not limited to, dial-a-ride, nonregular route,
34 jitney or community minibus, and shared-ride services such as
35 vanpools, limousines or taxicabs which are regularly available to
36 the public. Paratransit services shall not include limousine or
37 taxicab service reserved for the private and exclusive use of
38 individual passengers】.

39 e. "Public transportation or public transportation service"
40 means rail passenger service, motorbus regular route service,
41 paratransit service, motorbus charter service, and ferry passenger
42 service.

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

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

5 h. "Ferry passenger service" means any service which involves
6 the carriage of persons for compensation or hire by waterborne craft
7 in this State or between points in this State and points in other
8 states.

9 (cf: P.L.2005, c.91, s.1)】¹

10

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

13 3. As used in this act:

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

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

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

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

25 "Authority" means the South Jersey Transportation Authority
26 created by section 4 of this act.

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

30 "Commissioner" means the Commissioner of Transportation.

31 "Construction" or "construct" means the planning, designing,
32 construction, reconstruction, rehabilitation, replacement, repair,
33 extension, enlargement, improvement and betterment of expressway
34 projects and transportation projects, and includes the demolition,
35 clearance and removal of buildings or structures on land acquired,
36 held, leased or used for those projects.

37 "Cost" means all or any part of the expenses incurred in
38 connection with the acquisition, construction and maintenance of
39 any real property, lands, structures, real or personal property rights,
40 rights-of-way, franchises, easements, and interests acquired or used
41 for a project; any financing charges and reserves for the payment of
42 principal and interest on bonds or notes; the expenses of
43 engineering, appraisal, architectural, accounting, financial and legal
44 services; and other expenses as may be necessary or incident to the
45 acquisition, construction and maintenance of a project, the
46 financing thereof and the placing of the project into operation.

47 "County" means a county in South Jersey.

48 "Department" means the Department of Transportation.

1 "Economic development facility" means any area, place, building
2 or other improvement or structure related to, connected with, or in
3 the vicinity of, a transportation project which may serve the users of
4 that project or assist in, enhance or stimulate its operation or
5 development.

6 "Expressway project" means the acquisition, construction and
7 maintenance of the Atlantic City Expressway as transferred to the
8 authority pursuant to this act and of any express highway, super
9 highway or motorway at the locations and between the termini as
10 may hereafter be established by law and acquired or to be acquired
11 or constructed or to be constructed under the provisions of this act
12 by the authority, over which abutters have no easements or rights of
13 light, air or direct access by reason of the fact that their properties
14 abut thereon, and shall include but not be limited to all bridges,
15 parking facilities, tunnels, overpasses, underpasses, interchanges,
16 traffic circles, grade separations, entrance plazas, approaches, toll
17 houses, service areas, stations and facilities, communications
18 facilities, administration, storage and other buildings, and other
19 structures related to the use of the express highway, superhighway
20 or motorway, intersecting highways and bridges and feeder roads
21 which the authority may deem necessary or desirable for the
22 operation of the project, together with all property rights, easements
23 and interests which may be acquired by the authority for the
24 construction or the operation of the project, and includes any
25 planning necessary for the execution of any expressway project.

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

30 "Land and improvements" means any area or lands, any interest,
31 right or title in land, including but not limited to, any reversionary
32 right, and any real or personal property, structure, facility, building
33 or equipment.

34 "Marine passenger service" means any service which involves
35 the carriage of persons for compensation or hire by waterborne
36 craft.

37 "Motorbus charter service" means subscription, tour and other
38 special motorbus services.

39 "Motorbus regular route service" means the operation of any
40 motorbus or motorbuses on streets, public highways or other
41 facilities, over a fixed route and between fixed termini on a regular
42 schedule for the purpose of carrying passengers, for hire or
43 otherwise, within South Jersey or between points within South
44 Jersey and points without South Jersey.

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

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

1 "Original authority" means the New Jersey Expressway
2 Authority or the Atlantic County Transportation Authority.

3 "Paratransit service" means any transportation service [.] other
4 than motorbus regular route service [and motorbus charter service,
5 including but not limited to, dial-a-ride, non-regular route, jitney or
6 community minibus, and shared-ride services such as vanpools,
7 limousines or taxicabs which are regularly available to the public.
8 Paratransit services shall not include limousine or taxicab service
9 reserved for the private and exclusive use of individual passengers].

10 "Parking facility" means any area or place, garage, building, or
11 other improvement or structure for the parking or storage of motor
12 or other vehicles, including but not limited to all real property and
13 personal property, driveways, roads and other structures or areas
14 necessary or useful or convenient for access to a facility from a
15 public street, road or highway, or from any transportation project;
16 meters, mechanical equipment necessary or useful or convenient for
17 or in connection with that parking or storage; and any structures,
18 buildings, space or accommodations, whether constructed by an
19 authority or by the lessee, to be leased for any business, commercial
20 or other use, including the sale of gasoline or accessories for, or the
21 repair or other servicing of automobiles and other motor vehicles,
22 if, in the opinion of the authority, the inclusion, provision and
23 leasing is necessary to assist in defraying the expenses of the
24 authority and make possible the operation of the parking facility at
25 reasonable rates, but the authority shall not itself engage in the sale
26 of gasoline or accessories for, or in the repair or other servicing of
27 automobiles or other motor vehicles except in emergency, nor in the
28 sale of any service or commodity of trade or commerce.

29 "Project" means an expressway project or transportation project
30 and the costs associated therewith.

31 "Public highway" means any public highway, road or street in
32 South Jersey, including federal aid highways, whether maintained
33 by the State or by a county, municipality or other governmental
34 subdivision in South Jersey.

35 "Public transportation facility" means, in connection with public
36 transportation service, passenger stations, shelters and terminals,
37 automobile and bus parking facilities, ramps, track connections,
38 signal systems, power systems, information and communication
39 systems, roadbeds, transit lanes or rights-of-way, equipment storage
40 and servicing facilities, bridges, grade crossings, rail cars,
41 locomotives, motorbuses and other motor vehicles, maintenance and
42 garage facilities, revenue handling equipment and any other
43 equipment, facility or property useful or related to the provision of
44 transportation service.

45 "Public transportation service" means rail passenger service,
46 motorbus regular route service, paratransit service, motorbus
47 charter service and marine passenger service.

1 "Rail passenger service" means the operation of railroad,
2 subway, or light rail systems including fixed and automated
3 guideway systems for the purpose of carrying passengers in South
4 Jersey or between points within South Jersey and points without
5 South Jersey.

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

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

11 "Transfer date" means, with respect to the New Jersey
12 Expressway Authority, the date on which all bonds issued by the
13 New Jersey Expressway Authority cease to be outstanding within
14 the meaning of the resolutions pursuant to which those bonds were
15 issued, as certified by the trustee or trustees thereunder and, with
16 respect to the Atlantic County Transportation Authority, the date on
17 which New Jersey Economic Development Authority first mortgage
18 revenue bonds, series of 1980, dated July 1, 1980, (New York
19 Parking Associates - Parking Authority of Atlantic City project)
20 issued by the New Jersey Economic Development Authority cease
21 to be outstanding within the meaning of the indenture pursuant to
22 which those bonds were issued, as certified by the trustees
23 thereunder or the date on which the South Jersey Transportation
24 Authority certifies to the Atlantic County Transportation Authority
25 for a predecessor authority to the Atlantic County Transportation
26 Authority and the State Treasurer that it assumes all debts and
27 obligations of the Atlantic County Transportation Authority.

28 "Transportation facility" means any area, place, building, or
29 other structure designed to provide rail passenger service, motorbus
30 regular route service, paratransit service, motorbus charter service,
31 air passenger and air freight service, or marine passenger service, or
32 any two or more of these services, to the public, and includes
33 passenger stations, shelters and terminals, air passenger terminals,
34 hangars, heliports, docking and launching facilities, parking
35 facilities, ramps, track connections, signal systems, power systems,
36 information and communication systems, roadbeds, transit lanes or
37 rights-of-way, equipment storage and servicing facilities, bridges,
38 grade crossings, rail cars, locomotives, motorbus and other motor
39 vehicles, boats, ferries and other marine vehicles, aircraft,
40 maintenance and garage facilities, revenue handling equipment and
41 any other equipment, facility or property useful for or related to the
42 provision of these services;

43 "Transportation project" means the acquisition, construction, and
44 maintenance of an airport, public transportation facility or other
45 transportation facility, established by this act or which may be
46 hereafter established by law and may include related facilities and
47 activities which may consist of public transportation services,
48 public transportation facilities, including but not limited to rail and

1 bus stations and terminals, noise abatement projects, parking
2 facilities, public highways and feeder roads related to or connected
3 with the project, and any economic development facilities as
4 defined in this section. Transportation project includes any planning
5 necessary to develop a comprehensive, efficient, convenient or
6 economical transportation system in South Jersey, any planning or
7 marketing necessary or desirable for the execution of any
8 transportation project, and any planning, acquisition, construction
9 or operation of economic development facilities related to,
10 connected with, or in the vicinity of the project.

11 "Transportation system" means public highways, expressway
12 projects, transportation projects, and all other methods of
13 transportation for the movement of people and goods in South
14 Jersey.

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

19

20 ¹1. a. As used in this section:

21 "Department" means the Department of Transportation.

22 "Limousine" means a motor vehicle registered under the
23 provisions of section 12 of P.L.1979, c.224 (C.39:3-19.5) or registered
24 as a limousine under the laws of another state or the United States and
25 used exclusively in the business of carrying passengers for hire to
26 provide prearranged passenger transportation at a premium fare on a
27 dedicated, nonscheduled, charter basis that is not conducted on a
28 regular route and with a seating capacity in no event of more than 14
29 passengers, not including the driver, provided, that such a motor
30 vehicle shall not have a seating capacity in excess of four passengers,
31 not including the driver, beyond the maximum passenger seating
32 capacity of the vehicle, not including the driver, at the time of
33 manufacture. "Limousine" shall not include any taxicab, hotel or
34 airport shuttle or bus, or bus employed solely in transporting
35 schoolchildren or teachers to and from school, or any vehicle owned
36 and operated without charge or remuneration by a business entity for
37 its own purposes.

38 "Medicaid program" or "Medicaid" means the State Medicaid
39 program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

40 "Medicaid transportation service" means the non-emergency
41 medical transport of a beneficiary of the Medicaid program, which
42 service is provided through the use of a mobility assistance vehicle or
43 livery vehicle, is necessary for the beneficiary to receive covered
44 medical services, and is provided in compliance with Title XIX of the
45 federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413
46 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any
47 rules or regulations adopted thereunder.

1 “Mobility assistance vehicle” means a chauffeured vehicle that is
2 staffed by certified trained personnel, and which is used to transport a
3 non-ambulatory Medicaid beneficiary who is sick, has an infirmity, or
4 has a disability, and is under the care and supervision of a physician,
5 and whose medical condition is not of sufficient magnitude or gravity
6 to require transportation by ambulance, but is of sufficient magnitude
7 or gravity to require transportation from place to place for medical
8 care, and whose use of an alternate form of transportation might create
9 a serious risk to the beneficiary’s life or health.

10 “Paratransit service” means and includes any transportation
11 service, other than fixed route transportation service, that is provided
12 by the New Jersey Transit Corporation, whether directly or indirectly
13 through contract, to comply with the requirements of the federal
14 “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.),
15 by the Department of Labor and Workforce Development pursuant to
16 P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the
17 “Senior Citizen and Disabled Resident Transportation Assistance Act,”
18 P.L.1983, c.578 (C.27:25-25 et seq.). “Paratransit service” shall
19 include Medicaid transportation service², as delivered through the
20 Medicaid program’s non-emergency medical transportation broker and
21 in accordance with the rules and regulations set forth by the
22 Department of Human Services².

23 “Taxicab” means an autocab or taxi as defined in R.S.48:16-1,
24 excluding school buses as defined in R.S.39:1-1, omnibuses as defined
25 in R.S.39:1-1, and limousines.

26 “Transportation network company” means a corporation,
27 partnership, sole proprietorship, or other entity that is registered as a
28 business in the State or operates in this State, and uses a digital
29 network to connect a transportation network company rider to a
30 transportation network company driver to provide a prearranged ride.
31 For the purposes of this definition, the terms “digital network,”
32 “prearranged ride,” “transportation network company driver,” and
33 “transportation network company rider” shall have the same meanings
34 as provided in section 2 of P.L.2017, c.26 (C.39:5H-2).

35 b. Notwithstanding any law, rule, or regulation to the contrary,
36 ²except any law, rule or regulation governing the Medicaid program’s
37 non-emergency medical transportation approval process,² and to the
38 extent permissible under federal law, for a period of two years
39 following the effective date of this act, taxicabs, limousines, and
40 transportation network companies shall be permitted to provide
41 paratransit service within the State.

42 c. Within 60 days of the termination of the two-year period in
43 which the provision of paratransit services is permitted by taxicabs,
44 limousines, and transportation network companies, each paratransit
45 provider that provided paratransit service by means of a taxicab,
46 limousine, or transportation network company shall prepare and
47 submit a report to the department containing the following
48 information:

1 (1) information on the number of paratransit service rides provided
2 during the two-year period;

3 (2) information on any vehicle safety, labor, environmental, or any
4 other applicable violations that occurred during the provision of
5 paratransit services; and

6 (3) information pertaining to each motor vehicle accident that
7 occurred during the provision of paratransit services and any related
8 injuries or insurance claims that resulted from each motor vehicle
9 accident.

10 d. Within 90 days of the termination of the two-year period in
11 which the provision of paratransit services is permitted by taxicabs,
12 limousines, and transportation network companies, the Department of
13 Transportation, in consultation with the New Jersey Transit
14 Corporation, the Department of Human Services, the Department of
15 Labor and Workforce Development, and the Department of Health,
16 shall prepare and submit a report to the Governor and, pursuant to
17 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature
18 concerning the efficacy of allowing taxicabs, limousines, and
19 transportation network companies to provide paratransit services in the
20 State. The report shall include, at a minimum:

21 (1) information on the number of contracts entered into with
22 paratransit providers that are taxicabs, limousines, or transportation
23 network companies during the two-year period;

24 (2) information concerning the advantages and disadvantages of
25 permitting taxicabs, limousines, and transportation network companies
26 to provide paratransit services;

27 (3) a summary of the information provided to the department by
28 each paratransit service provider pursuant to subsection c. of this
29 section; and

30 (4) a recommendation of whether the temporary provision of
31 paratransit service by taxicabs, limousines, and transportation network
32 companies should be made permanent.

33 The department shall publish the report on the department's
34 Internet website following the submission of the report to the
35 Governor and Legislature.¹

36
37 ¹[4.] 2.¹ This act shall take effect ¹[immediately] on the first
38 day of the fourth month next following the date of enactment, but the
39 Commissioner of Transportation may take anticipatory administrative
40 action in advance thereof as shall be necessary for the implementation
41 of this act, and shall expire following the submission of the
42 department's report to the Governor and the Legislature pursuant to
43 subsection d. of section 1 of this act¹.

44
45
46
47 Authorizes taxicabs, limousines, and transportation network
48 companies to provide paratransit services for two-year period.

CHAPTER 82

AN ACT concerning paratransit services.

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

1. a. As used in this section:

“Department” means the Department of Transportation.

“Limousine” means a motor vehicle registered under the provisions of section 12 of P.L.1979, c.224 (C.39:3-19.5) or registered as a limousine under the laws of another state or the United States and used exclusively in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity in no event of more than 14 passengers, not including the driver, provided that such a motor vehicle shall not have a seating capacity in excess of four passengers, not including the driver, beyond the maximum passenger seating capacity of the vehicle, not including the driver, at the time of manufacture.

“Limousine” shall not include any taxicab, hotel or airport shuttle or bus, bus employed solely in transporting schoolchildren or teachers to and from school, or any vehicle owned and operated without charge or remuneration by a business entity for its own purposes.

“Medicaid program” or “Medicaid” means the State Medicaid program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

“Medicaid transportation service” means the non-emergency medical transport of a beneficiary of the Medicaid program, which service is provided through the use of a mobility assistance vehicle or livery vehicle, is necessary for the beneficiary to receive covered medical services, and is provided in compliance with Title XIX of the federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any rules or regulations adopted thereunder.

“Mobility assistance vehicle” means a chauffeured vehicle that is staffed by certified trained personnel and which is used to transport a non-ambulatory Medicaid beneficiary who is sick, has an infirmity, or has a disability; is under the care and supervision of a physician; whose medical condition is not of sufficient magnitude or gravity to require transportation by ambulance, but is of sufficient magnitude or gravity to require transportation from place to place for medical care; and whose use of an alternate form of transportation might create a serious risk to the beneficiary’s life or health.

“Paratransit service” means and includes any transportation service, other than fixed route transportation service, that is provided by the New Jersey Transit Corporation, whether directly or indirectly through contract, to comply with the requirements of the federal “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.), by the Department of Labor and Workforce Development pursuant to P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the “Senior Citizen and Disabled Resident Transportation Assistance Act,” P.L.1983, c.578 (C.27:25-25 et seq.). “Paratransit service” shall include Medicaid transportation service, as delivered through the Medicaid program’s non-emergency medical transportation broker and in accordance with the rules and regulations set forth by the Department of Human Services.

“Taxicab” means an autocab or taxi as defined in R.S.48:16-1, excluding school buses as defined in R.S.39:1-1, omnibuses as defined in R.S.39:1-1, and limousines.

“Transportation network company” means a corporation, partnership, sole proprietorship, or other entity that is registered as a business in the State or operates in this State and uses a digital network to connect a transportation network company rider to a transportation network company driver to provide a prearranged ride. For the purposes of this definition, the terms “digital network,” “prearranged ride,” “transportation network company driver,” and

“transportation network company rider” shall have the same meanings as provided in section 2 of P.L.2017, c.26 (C.39:5H-2).

b. Notwithstanding any law, rule, or regulation to the contrary, except any law, rule, or regulation governing the Medicaid program’s non-emergency medical transportation approval process, and to the extent permissible under federal law, for a period of two years following the effective date of this act, taxicabs, limousines, and transportation network companies shall be permitted to provide paratransit service within the State.

c. Within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and transportation network companies, each paratransit provider that provided paratransit service by means of a taxicab, limousine, or transportation network company shall prepare and submit a report to the department containing the following information:

- (1) information on the number of paratransit service rides provided during the two-year period;
- (2) information on any vehicle safety, labor, environmental, or any other applicable violations that occurred during the provision of paratransit services; and
- (3) information pertaining to each motor vehicle accident that occurred during the provision of paratransit services and any related injuries or insurance claims that resulted from each motor vehicle accident.

d. Within 90 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and transportation network companies, the Department of Transportation, in consultation with the New Jersey Transit Corporation, the Department of Human Services, the Department of Labor and Workforce Development, and the Department of Health, shall prepare and submit a report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature concerning the efficacy of allowing taxicabs, limousines, and transportation network companies to provide paratransit services in the State. The report shall include, at a minimum:

- (1) information on the number of contracts entered into with paratransit providers that are taxicabs, limousines, or transportation network companies during the two-year period;
- (2) information concerning the advantages and disadvantages of permitting taxicabs, limousines, and transportation network companies to provide paratransit services;
- (3) a summary of the information provided to the department by each paratransit service provider pursuant to subsection c. of this section; and
- (4) a recommendation of whether the temporary provision of paratransit service by taxicabs, limousines, and transportation network companies should be made permanent.

The department shall publish the report on the department’s Internet website following the submission of the report to the Governor and Legislature.

2. This act shall take effect on the first day of the fourth month next following the date of enactment, but the Commissioner of Transportation may take anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act, and shall expire following the submission of the department’s report to the Governor and the Legislature pursuant to subsection d. of section 1 of this act.

Approved October 4, 2024.

ASSEMBLY, No. 2607

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Co-Sponsored by:

Assemblywoman Katz

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/4/2024)

A2607 KARABINCHAK, CALABRESE

2

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.

A2607 KARABINCHAK, CALABRESE

3

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)

45

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:

A2607 KARABINCHAK, CALABRESE

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.

[First Reprint]

ASSEMBLY, No. 2607

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblyman MICHAEL INGANAMORT

District 24 (Morris, Sussex and Warren)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator RAJ MUKHERJI

District 32 (Hudson)

Co-Sponsored by:

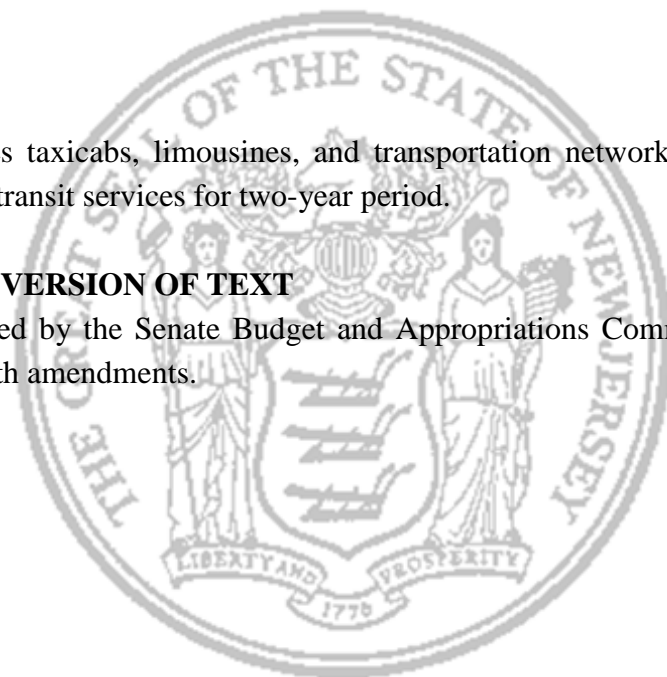
**Assemblywomen Katz, Fantasia, Assemblyman Wimberly,
Assemblywoman Speight, Senators Holzapfel, Space and A.M.Bucco**

SYNOPSIS

Authorizes taxicabs, limousines, and transportation network companies to provide paratransit services for two-year period.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 24, 2024, with amendments.



(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning paratransit services ¹and amending various parts of
2 the statutory law¹.

3

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

6

7 ¹[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 service¹, except that
36 "paratransit service" does not include private or charter services
37 provided by taxicabs, limousines, or transportation network
38 companies¹.

39 (cf: P.L.2020, c.114, s.3)¹

40

41 ¹[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 ¹[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 ¹[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:

¹Senate SBA committee amendments adopted June 24, 2024.

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)】¹

45
46 ¹【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)]¹

5
6 ¹1. a. As used in this section:

7 "Department" means the Department of Transportation.

8 "Limousine" means a motor vehicle registered under the
9 provisions of section 12 of P.L.1979, c.224 (C.39:3-19.5) or registered
10 as a limousine under the laws of another state or the United States and
11 used exclusively in the business of carrying passengers for hire to
12 provide prearranged passenger transportation at a premium fare on a
13 dedicated, nonscheduled, charter basis that is not conducted on a
14 regular route and with a seating capacity in no event of more than 14
15 passengers, not including the driver, provided, that such a motor
16 vehicle shall not have a seating capacity in excess of four passengers,
17 not including the driver, beyond the maximum passenger seating
18 capacity of the vehicle, not including the driver, at the time of
19 manufacture. "Limousine" shall not include any taxicab, hotel or
20 airport shuttle or bus, or bus employed solely in transporting
21 schoolchildren or teachers to and from school, or any vehicle owned
22 and operated without charge or remuneration by a business entity for
23 its own purposes.

24 "Medicaid program" or "Medicaid" means the State Medicaid
25 program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

26 "Medicaid transportation service" means the non-emergency
27 medical transport of a beneficiary of the Medicaid program, which
28 service is provided through the use of a mobility assistance vehicle or
29 livery vehicle, is necessary for the beneficiary to receive covered
30 medical services, and is provided in compliance with Title XIX of the
31 federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413
32 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any
33 rules or regulations adopted thereunder.

34 "Mobility assistance vehicle" means a chauffeured vehicle that is
35 staffed by certified trained personnel, and which is used to transport a
36 non-ambulatory Medicaid beneficiary who is sick, has an infirmity, or
37 has a disability, and is under the care and supervision of a physician,
38 and whose medical condition is not of sufficient magnitude or gravity
39 to require transportation by ambulance, but is of sufficient magnitude
40 or gravity to require transportation from place to place for medical
41 care, and whose use of an alternate form of transportation might create
42 a serious risk to the beneficiary's life or health.

43 "Paratransit service" means and includes any transportation
44 service, other than fixed route transportation service, that is provided
45 by the New Jersey Transit Corporation, whether directly or indirectly
46 through contract, to comply with the requirements of the federal
47 "Americans with Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.),
48 by the Department of Labor and Workforce Development pursuant to

1 P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the
2 “Senior Citizen and Disabled Resident Transportation Assistance Act,”
3 P.L.1983, c.578 (C.27:25-25 et seq.). “Paratransit service” shall
4 include Medicaid transportation service.

5 “Taxicab” means an autocab or taxi as defined in R.S.48:16-1,
6 excluding school buses as defined in R.S.39:1-1, omnibuses as defined
7 in R.S.39:1-1, and limousines.

8 “Transportation network company” means a corporation,
9 partnership, sole proprietorship, or other entity that is registered as a
10 business in the State or operates in this State, and uses a digital
11 network to connect a transportation network company rider to a
12 transportation network company driver to provide a prearranged ride.
13 For the purposes of this definition, the terms “digital network,”
14 “prearranged ride,” “transportation network company driver,” and
15 “transportation network company rider” shall have the same meanings
16 as provided in section 2 of P.L.2017, c.26 (C.39:5H-2).

17 b. Notwithstanding any law, rule, or regulation to the contrary,
18 and to the extent permissible under federal law, for a period of two
19 years following the effective date of this act, taxicabs, limousines, and
20 transportation network companies shall be permitted to provide
21 paratransit service within the State.

22 c. Within 60 days of the termination of the two-year period in
23 which the provision of paratransit services is permitted by taxicabs,
24 limousines, and transportation network companies, each paratransit
25 provider that provided paratransit service by means of a taxicab,
26 limousine, or transportation network company shall prepare and
27 submit a report to the department containing the following
28 information:

29 (1) information on the number of paratransit service rides provided
30 during the two-year period;

31 (2) information on any vehicle safety, labor, environmental, or any
32 other applicable violations that occurred during the provision of
33 paratransit services; and

34 (3) information pertaining to each motor vehicle accident that
35 occurred during the provision of paratransit services and any related
36 injuries or insurance claims that resulted from each motor vehicle
37 accident.

38 d. Within 90 days of the termination of the two-year period in
39 which the provision of paratransit services is permitted by taxicabs,
40 limousines, and transportation network companies, the Department of
41 Transportation, in consultation with the New Jersey Transit
42 Corporation, the Department of Human Services, the Department of
43 Labor and Workforce Development, and the Department of Health,
44 shall prepare and submit a report to the Governor and, pursuant to
45 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature
46 concerning the efficacy of allowing taxicabs, limousines, and
47 transportation network companies to provide paratransit services in the
48 State. The report shall include, at a minimum:

1 (1) information on the number of contracts entered into with
2 paratransit providers that are taxicabs, limousines, or transportation
3 network companies during the two-year period;

4 (2) information concerning the advantages and disadvantages of
5 permitting taxicabs, limousines, and transportation network companies
6 to provide paratransit services;

7 (3) a summary of the information provided to the department by
8 each paratransit service provider pursuant to subsection c. of this
9 section; and

10 (4) a recommendation of whether the temporary provision of
11 paratransit service by taxicabs, limousines, and transportation network
12 companies should be made permanent.

13 The department shall publish the report on the department's Internet
14 website following the submission of the report to the Governor and
15 Legislature.¹

16
17 ¹~~4.~~ 2. This act shall take effect ¹~~immediately~~ on the first
18 day of the fourth month next following the date of enactment, but the
19 Commissioner of Transportation may take anticipatory administrative
20 action in advance thereof as shall be necessary for the implementation
21 of this act, and shall expire following the submission of the
22 department's report to the Governor and the Legislature pursuant to
23 subsection d. of section 1 of this act¹.

[Second Reprint]

ASSEMBLY, No. 2607

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblyman MICHAEL INGANAMORT

District 24 (Morris, Sussex and Warren)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator RAJ MUKHERJI

District 32 (Hudson)

Co-Sponsored by:

**Assemblywomen Katz, Fantasia, Assemblyman Wimberly,
Assemblywoman Speight, Senators Holzapfel, Space, A.M.Bucco,
Assemblyman Bailey, Assemblywoman Haider, Assemblyman Sampson,
Assemblywomen McCann Stamato and Sumter**

SYNOPSIS

Authorizes taxicabs, limousines, and transportation network companies to provide paratransit services for two-year period.

CURRENT VERSION OF TEXT

As amended on September 19, 2024 by the General Assembly pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 9/26/2024)

1 AN ACT concerning paratransit services ¹and amending various parts of
2 the statutory law¹.

3

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

6

7 ¹[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 service¹, except that
36 "paratransit service" does not include private or charter services
37 provided by taxicabs, limousines, or transportation network
38 companies¹.

39 (cf: P.L.2020, c.114, s.3)¹

40

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

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:

¹Senate SBA committee amendments adopted June 24, 2024.

²Assembly amendments adopted in accordance with Governor's recommendations September 19, 2024.

- 1 3. As used in **【this act】** P.L.1979, c.150 (C.27:25-1 et seq.):
- 2 a. "Corporation" means the New Jersey Transit Corporation.
- 3 b. "Motorbus regular route service" means and includes the
4 operation of any motorbus or motorbuses on streets, public
5 highways or other facilities, over a fixed route and between fixed
6 termini on a regular schedule for the purpose of carrying passengers
7 for hire or otherwise, in this State or between points in this State
8 and points in other states.
- 9 c. "Capital equipment and facilities" means and includes, in
10 connection with public transportation service, passenger stations,
11 shelters and terminals, automobile parking facilities, ramps, track
12 connections, signal systems, power systems, information and
13 communication systems, roadbeds, transit lanes or rights of way,
14 equipment storage and servicing facilities, bridges, grade crossings,
15 rail cars, locomotives, ferries and ferry facilities, including capital
16 projects for ferry terminals, approach roadways, pedestrian
17 accommodations, parking, docks, ramps and other necessary land-
18 side improvements, motorbus and other motor vehicles,
19 maintenance and garage facilities, revenue handling equipment and
20 any other equipment, facility or property useful for or related to the
21 provision of public transportation service.
- 22 d. "Paratransit services" means and includes any transportation
23 service【,】 other than motorbus regular route service **【and charter**
24 **services, including, but not limited to, dial-a-ride, nonregular route,**
25 **jitney or community minibus, and shared-ride services such as**
26 **vanpools, limousines or taxicabs which are regularly available to**
27 **the public. Paratransit services shall not include limousine or**
28 **taxicab service reserved for the private and exclusive use of**
29 **individual passengers】.**
- 30 e. "Public transportation or public transportation service"
31 means rail passenger service, motorbus regular route service,
32 paratransit service, motorbus charter service, and ferry passenger
33 service.
- 34 f. "Motorbus charter service" means and includes subscription,
35 tour, other special motorbus services or school bus services or
36 charter services as set forth in section 7 of P.L.1979, c.150
37 (C.27:25-7).
- 38 g. "Rail passenger service" means and includes the operations
39 of a railroad, subway, street, traction or electric railway for the
40 purpose of carrying passengers in this State or between points in
41 this State and points in other states.
- 42 h. "Ferry passenger service" means any service which involves
43 the carriage of persons for compensation or hire by waterborne craft
44 in this State or between points in this State and points in other
45 states.
- 46 (cf: P.L.2005, c.91, s.1)**】¹**

1 ¹Section 3 of P.L.1991, c.252 (C.27:25A-3) is amended to
2 read as follows:

3 3. As used in this act:

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

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

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

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

15 "Authority" means the South Jersey Transportation Authority
16 created by section 4 of this act.

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

20 "Commissioner" means the Commissioner of Transportation.

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

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

37 "County" means a county in South Jersey.

38 "Department" means the Department of Transportation.

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

44 "Expressway project" means the acquisition, construction and
45 maintenance of the Atlantic City Expressway as transferred to the
46 authority pursuant to this act and of any express highway, super
47 highway or motorway at the locations and between the termini as
48 may hereafter be established by law and acquired or to be acquired

1 or constructed or to be constructed under the provisions of this act
2 by the authority, over which abutters have no easements or rights of
3 light, air or direct access by reason of the fact that their properties
4 abut thereon, and shall include but not be limited to all bridges,
5 parking facilities, tunnels, overpasses, underpasses, interchanges,
6 traffic circles, grade separations, entrance plazas, approaches, toll
7 houses, service areas, stations and facilities, communications
8 facilities, administration, storage and other buildings, and other
9 structures related to the use of the express highway, superhighway
10 or motorway, intersecting highways and bridges and feeder roads
11 which the authority may deem necessary or desirable for the
12 operation of the project, together with all property rights, easements
13 and interests which may be acquired by the authority for the
14 construction or the operation of the project, and includes any
15 planning necessary for the execution of any expressway project.

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

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

24 "Marine passenger service" means any service which involves
25 the carriage of persons for compensation or hire by waterborne
26 craft.

27 "Motorbus charter service" means subscription, tour and other
28 special motorbus services.

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

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

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

39 "Original authority" means the New Jersey Expressway
40 Authority or the Atlantic County Transportation Authority.

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

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

20 "Project" means an expressway project or transportation project
21 and the costs associated therewith.

22 "Public highway" means any public highway, road or street in
23 South Jersey, including federal aid highways, whether maintained
24 by the State or by a county, municipality or other governmental
25 subdivision in South Jersey.

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

36 "Public transportation service" means rail passenger service,
37 motorbus regular route service, paratransit service, motorbus
38 charter service and marine passenger service.

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

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

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

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

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

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

1 "Transportation system" means public highways, expressway
2 projects, transportation projects, and all other methods of
3 transportation for the movement of people and goods in South
4 Jersey.

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

9

10 ¹1. a. As used in this section:

11 "Department" means the Department of Transportation.

12 "Limousine" means a motor vehicle registered under the
13 provisions of section 12 of P.L.1979, c.224 (C.39:3-19.5) or registered
14 as a limousine under the laws of another state or the United States and
15 used exclusively in the business of carrying passengers for hire to
16 provide prearranged passenger transportation at a premium fare on a
17 dedicated, nonscheduled, charter basis that is not conducted on a
18 regular route and with a seating capacity in no event of more than 14
19 passengers, not including the driver, provided, that such a motor
20 vehicle shall not have a seating capacity in excess of four passengers,
21 not including the driver, beyond the maximum passenger seating
22 capacity of the vehicle, not including the driver, at the time of
23 manufacture. "Limousine" shall not include any taxicab, hotel or
24 airport shuttle or bus, or bus employed solely in transporting
25 schoolchildren or teachers to and from school, or any vehicle owned
26 and operated without charge or remuneration by a business entity for
27 its own purposes.

28 "Medicaid program" or "Medicaid" means the State Medicaid
29 program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

30 "Medicaid transportation service" means the non-emergency
31 medical transport of a beneficiary of the Medicaid program, which
32 service is provided through the use of a mobility assistance vehicle or
33 livery vehicle, is necessary for the beneficiary to receive covered
34 medical services, and is provided in compliance with Title XIX of the
35 federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413
36 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any
37 rules or regulations adopted thereunder.

38 "Mobility assistance vehicle" means a chauffeured vehicle that is
39 staffed by certified trained personnel, and which is used to transport a
40 non-ambulatory Medicaid beneficiary who is sick, has an infirmity, or
41 has a disability, and is under the care and supervision of a physician,
42 and whose medical condition is not of sufficient magnitude or gravity
43 to require transportation by ambulance, but is of sufficient magnitude
44 or gravity to require transportation from place to place for medical
45 care, and whose use of an alternate form of transportation might create
46 a serious risk to the beneficiary's life or health.

47 "Paratransit service" means and includes any transportation
48 service, other than fixed route transportation service, that is provided

1 by the New Jersey Transit Corporation, whether directly or indirectly
2 through contract, to comply with the requirements of the federal
3 “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.),
4 by the Department of Labor and Workforce Development pursuant to
5 P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the
6 “Senior Citizen and Disabled Resident Transportation Assistance Act,”
7 P.L.1983, c.578 (C.27:25-25 et seq.). “Paratransit service” shall
8 include Medicaid transportation service², as delivered through the
9 Medicaid program’s non-emergency medical transportation broker and
10 in accordance with the rules and regulations set forth by the
11 Department of Human Services².

12 “Taxicab” means an autocab or taxi as defined in R.S.48:16-1,
13 excluding school buses as defined in R.S.39:1-1, omnibuses as defined
14 in R.S.39:1-1, and limousines.

15 “Transportation network company” means a corporation,
16 partnership, sole proprietorship, or other entity that is registered as a
17 business in the State or operates in this State, and uses a digital
18 network to connect a transportation network company rider to a
19 transportation network company driver to provide a prearranged ride.
20 For the purposes of this definition, the terms “digital network,”
21 “prearranged ride,” “transportation network company driver,” and
22 “transportation network company rider” shall have the same meanings
23 as provided in section 2 of P.L.2017, c.26 (C.39:5H-2).

24 b. Notwithstanding any law, rule, or regulation to the contrary,
25 ²except any law, rule or regulation governing the Medicaid program’s
26 non-emergency medical transportation approval process,² and to the
27 extent permissible under federal law, for a period of two years
28 following the effective date of this act, taxicabs, limousines, and
29 transportation network companies shall be permitted to provide
30 paratransit service within the State.

31 c. Within 60 days of the termination of the two-year period in
32 which the provision of paratransit services is permitted by taxicabs,
33 limousines, and transportation network companies, each paratransit
34 provider that provided paratransit service by means of a taxicab,
35 limousine, or transportation network company shall prepare and
36 submit a report to the department containing the following
37 information:

38 (1) information on the number of paratransit service rides provided
39 during the two-year period;

40 (2) information on any vehicle safety, labor, environmental, or any
41 other applicable violations that occurred during the provision of
42 paratransit services; and

43 (3) information pertaining to each motor vehicle accident that
44 occurred during the provision of paratransit services and any related
45 injuries or insurance claims that resulted from each motor vehicle
46 accident.

47 d. Within 90 days of the termination of the two-year period in
48 which the provision of paratransit services is permitted by taxicabs,

1 limousines, and transportation network companies, the Department of
2 Transportation, in consultation with the New Jersey Transit
3 Corporation, the Department of Human Services, the Department of
4 Labor and Workforce Development, and the Department of Health,
5 shall prepare and submit a report to the Governor and, pursuant to
6 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature
7 concerning the efficacy of allowing taxicabs, limousines, and
8 transportation network companies to provide paratransit services in the
9 State. The report shall include, at a minimum:

10 (1) information on the number of contracts entered into with
11 paratransit providers that are taxicabs, limousines, or transportation
12 network companies during the two-year period;

13 (2) information concerning the advantages and disadvantages of
14 permitting taxicabs, limousines, and transportation network companies
15 to provide paratransit services;

16 (3) a summary of the information provided to the department by
17 each paratransit service provider pursuant to subsection c. of this
18 section; and

19 (4) a recommendation of whether the temporary provision of
20 paratransit service by taxicabs, limousines, and transportation network
21 companies should be made permanent.

22 The department shall publish the report on the department's
23 Internet website following the submission of the report to the
24 Governor and Legislature.¹

25
26 ¹[4.] 2.¹ This act shall take effect ¹**[immediately]** on the first
27 day of the fourth month next following the date of enactment, but the
28 Commissioner of Transportation may take anticipatory administrative
29 action in advance thereof as shall be necessary for the implementation
30 of this act, and shall expire following the submission of the
31 department's report to the Governor and the Legislature pursuant to
32 subsection d. of section 1 of this act¹.

ASSEMBLY, No. 2607

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblyman MICHAEL INGANAMORT

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

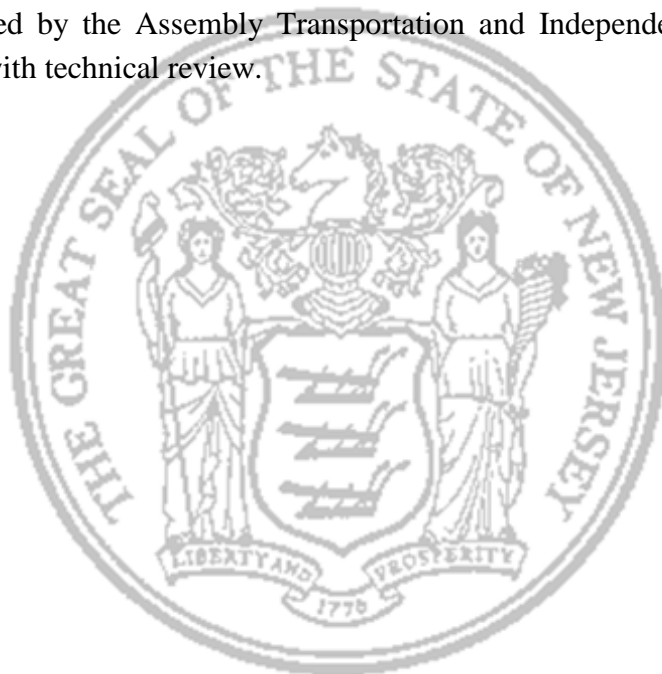
**Assemblywomen Katz, Fantasia, Assemblyman Wimberly and
Assemblywoman Speight**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee with technical review.



(Sponsorship Updated As Of: 4/15/2024)

A2607 KARABINCHAK, CALABRESE

2

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)

45

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:

A2607 KARABINCHAK, CALABRESE

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.

A2607 KARABINCHAK, CALABRESE

8

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.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2607

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 2607.

As reported, this bill modifies the definition of “paratransit service” under various sections of law to mean and include any transportation service other than fixed route transportation service or motorbus regular route service.

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

The bill’s expanded definition of “paratransit service” may enable paratransit service operators, including the New Jersey Transit Corporation, to contract with certain paratransit service providers that are otherwise disqualified under current law, including, but not limited to, the providers of private or charter services via taxicabs, limousines, or transportation network companies.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2607

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 2607.

As amended and reported, this bill permits taxicabs, limousines, and transportation network companies (TNCs) to provide paratransit services in the State for a period of two years.

The bill requires, within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, each paratransit provider that provides paratransit service by means of a taxicab, limousine, or TNC to prepare and submit a report to the Department of Transportation (department) containing the following information: (1) information on the number of paratransit service rides provided during the two-year period; (2) information on any vehicle safety, labor, environmental, or any other applicable violations that occurred during the provision of paratransit services; and (3) information pertaining to each motor vehicle accident that occurred during the provision of paratransit services and any related injuries or insurance claims that resulted from each motor vehicle accident.

The bill also requires, within 90 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, the department, in consultation with the New Jersey Transit Corporation, the Department of Human Services, the Department of Labor and Workforce Development, and the Department of Health, to prepare and submit a report to the Governor and Legislature concerning the efficacy of allowing taxicabs, limousines, and TNCs to provide paratransit services in the State. The report is required to include, at a minimum: (1) information on the number of contracts entered into with paratransit providers that are taxicabs, limousines, or TNCs during the two-year period; (2) information concerning the advantages and disadvantages of permitting taxicabs, limousines, and TNCs to provide paratransit service; (3) a summary of the information provided to the department by each paratransit service provider; and (4) a recommendation of whether the temporary provision of paratransit service by taxicabs, limousines, and TNCs should be made permanent.

Finally, the department is required to publish the report on the department's Internet website following the submission of the report to the Governor and Legislature.

Under current law, the definition of "paratransit service" generally excludes private or charter services provided by taxicabs, limousines, or transportation network companies.

As amended and reported by the committee, Assembly Bill No. 2607 is identical to Senate Bill No. 360, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) remove provisions of the bill that modify the definition of "paratransit service" under various sections of law to permit providers of private or charter services via taxicabs, limousines, or transportation network companies to provide paratransit service and instead establish a two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs;

(2) add a requirement that within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, each paratransit provider that provided paratransit service by means of a taxicab, limousine, or TNC prepare and submit a report to the department containing certain information;

(3) add a requirement that within 90 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, the department, in consultation with the New Jersey Transit Corporation, the Department of Human Services, the Department of Labor and Workforce Development, and the Department of Health, prepare and submit a report to the Governor and Legislature concerning the efficacy of allowing taxicabs, limousines, and TNCs to provide paratransit services in the State, which report is to include certain additional information;

(4) require the department to publish the report on the department's Internet website following the submission of the report to the Governor and Legislature;

(5) change the bill's effective date to provide that the bill takes effect on the first day of the fourth month next following the date of enactment, rather than taking effect immediately;

(6) provide that the bill expires following the submission of the department's report to the Governor and Legislature; and

(7) amend the title and synopsis to reflect these changes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

SENATE, No. 360

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator RAJ MUKHERJI

District 32 (Hudson)

Co-Sponsored by:

Senators Holzapfel, Space and A.M.Bucco

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2024)

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)

45

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

1 3. As used in this act:

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

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

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

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

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

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

18 "Commissioner" means the Commissioner of Transportation.

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

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

35 "County" means a county in South Jersey.

36 "Department" means the Department of Transportation.

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

42 "Expressway project" means the acquisition, construction and
43 maintenance of the Atlantic City Expressway as transferred to the
44 authority pursuant to this act and of any express highway, super
45 highway or motorway at the locations and between the termini as
46 may hereafter be established by law and acquired or to be acquired
47 or constructed or to be constructed under the provisions of this act

1 by the authority, over which abutters have no easements or rights of
2 light, air or direct access by reason of the fact that their properties
3 abut thereon, and shall include but not be limited to all bridges,
4 parking facilities, tunnels, overpasses, underpasses, interchanges,
5 traffic circles, grade separations, entrance plazas, approaches, toll
6 houses, service areas, stations and facilities, communications
7 facilities, administration, storage and other buildings, and other
8 structures related to the use of the express highway, superhighway
9 or motorway, intersecting highways and bridges and feeder roads
10 which the authority may deem necessary or desirable for the
11 operation of the project, together with all property rights, easements
12 and interests which may be acquired by the authority for the
13 construction or the operation of the project, and includes any
14 planning necessary for the execution of any expressway project.

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

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

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

26 "Motorbus charter service" means subscription, tour and other
27 special motorbus services.

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

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

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

38 "Original authority" means the New Jersey Expressway
39 Authority or the Atlantic County Transportation Authority.

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

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

20 "Project" means an expressway project or transportation project
21 and the costs associated therewith.

22 "Public highway" means any public highway, road or street in
23 South Jersey, including federal aid highways, whether maintained
24 by the State or by a county, municipality or other governmental
25 subdivision in South Jersey.

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

36 "Public transportation service" means rail passenger service,
37 motorbus regular route service, paratransit service, motorbus
38 charter service and marine passenger service.

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

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

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

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

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

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

1 transportation project, and any planning, acquisition, construction
2 or operation of economic development facilities related to,
3 connected with, or in the vicinity of the project.

4 "Transportation system" means public highways, expressway
5 projects, transportation projects, and all other methods of
6 transportation for the movement of people and goods in South
7 Jersey.

8 "Transportation Trust Fund Authority" means the New Jersey
9 Transportation Trust Fund Authority established by section 4 of
10 P.L.1984, c.73 (C.27:1B-4).

11 (cf: P.L.1991, c.252, s.3)

12

13 4. This act shall take effect immediately.

14

15

16

STATEMENT

17

18 This bill modifies the definition of "paratransit service" under
19 various sections of law to mean and include any transportation
20 service other than fixed route transportation service or motorbus
21 regular route service.

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

26 The bill's expanded definition of "paratransit service" may
27 enable paratransit service operators, including New Jersey Transit,
28 to contract with certain paratransit service providers that are
29 otherwise disqualified under current law, including, but not limited
30 to, the providers of private or charter services via taxicabs,
31 limousines, or transportation network companies.

[First Reprint]

SENATE, No. 360

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator RAJ MUKHERJI

District 32 (Hudson)

Co-Sponsored by:

Senators Holzapfel, Space and A.M.Bucco

SYNOPSIS

Authorizes taxicabs, limousines, and transportation network companies to provide paratransit services for two-year period.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 24, 2024, with amendments.



(Sponsorship Updated As Of: 6/24/2024)

1 AN ACT concerning paratransit services ¹and amending various parts of
2 the statutory law¹.

3

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

6

7 ¹[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 service¹, except that
36 "paratransit service" does not include private or charter services
37 provided by taxicabs, limousines, or transportation network
38 companies¹.

39 (cf: P.L.2020, c.114, s.3)¹

40

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

43 3. As used in ¹[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 ¹[thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined ¹thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted June 24, 2024.

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)】¹

45
46 ¹【3.Section 3 of P.L.1991, c.252 (C.27:25A-3) is amended to
47 read as follows:

1 3. As used in this act:

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

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

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

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

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

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

18 "Commissioner" means the Commissioner of Transportation.

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

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

35 "County" means a county in South Jersey.

36 "Department" means the Department of Transportation.

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

42 "Expressway project" means the acquisition, construction and
43 maintenance of the Atlantic City Expressway as transferred to the
44 authority pursuant to this act and of any express highway, super
45 highway or motorway at the locations and between the termini as
46 may hereafter be established by law and acquired or to be acquired
47 or constructed or to be constructed under the provisions of this act

1 by the authority, over which abutters have no easements or rights of
2 light, air or direct access by reason of the fact that their properties
3 abut thereon, and shall include but not be limited to all bridges,
4 parking facilities, tunnels, overpasses, underpasses, interchanges,
5 traffic circles, grade separations, entrance plazas, approaches, toll
6 houses, service areas, stations and facilities, communications
7 facilities, administration, storage and other buildings, and other
8 structures related to the use of the express highway, superhighway
9 or motorway, intersecting highways and bridges and feeder roads
10 which the authority may deem necessary or desirable for the
11 operation of the project, together with all property rights, easements
12 and interests which may be acquired by the authority for the
13 construction or the operation of the project, and includes any
14 planning necessary for the execution of any expressway project.

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

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

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

26 "Motorbus charter service" means subscription, tour and other
27 special motorbus services.

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

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

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

38 "Original authority" means the New Jersey Expressway
39 Authority or the Atlantic County Transportation Authority.

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

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

20 "Project" means an expressway project or transportation project
21 and the costs associated therewith.

22 "Public highway" means any public highway, road or street in
23 South Jersey, including federal aid highways, whether maintained
24 by the State or by a county, municipality or other governmental
25 subdivision in South Jersey.

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

36 "Public transportation service" means rail passenger service,
37 motorbus regular route service, paratransit service, motorbus
38 charter service and marine passenger service.

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

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

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

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

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

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

1 transportation project, and any planning, acquisition, construction
2 or operation of economic development facilities related to,
3 connected with, or in the vicinity of the project.

4 "Transportation system" means public highways, expressway
5 projects, transportation projects, and all other methods of
6 transportation for the movement of people and goods in South
7 Jersey.

8 "Transportation Trust Fund Authority" means the New Jersey
9 Transportation Trust Fund Authority established by section 4 of
10 P.L.1984, c.73 (C.27:1B-4).

11 (cf: P.L.1991, c.252, s.3) **1**¹

12

13 ¹1. a. As used in this section:

14 "Department" means the Department of Transportation.

15 "Limousine" means a motor vehicle registered under the
16 provisions of section 12 of P.L.1979, c.224 (C.39:3-19.5) or registered
17 as a limousine under the laws of another state or the United States and
18 used exclusively in the business of carrying passengers for hire to
19 provide prearranged passenger transportation at a premium fare on a
20 dedicated, nonscheduled, charter basis that is not conducted on a
21 regular route and with a seating capacity in no event of more than 14
22 passengers, not including the driver, provided, that such a motor
23 vehicle shall not have a seating capacity in excess of four passengers,
24 not including the driver, beyond the maximum passenger seating
25 capacity of the vehicle, not including the driver, at the time of
26 manufacture. "Limousine" shall not include any taxicab, hotel or
27 airport shuttle or bus, or bus employed solely in transporting
28 schoolchildren or teachers to and from school, or any vehicle owned
29 and operated without charge or remuneration by a business entity for
30 its own purposes.

31 "Medicaid program" or "Medicaid" means the State Medicaid
32 program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

33 "Medicaid transportation service" means the non-emergency
34 medical transport of a beneficiary of the Medicaid program, which
35 service is provided through the use of a mobility assistance vehicle or
36 livery vehicle, is necessary for the beneficiary to receive covered
37 medical services, and is provided in compliance with Title XIX of the
38 federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413
39 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any
40 rules or regulations adopted thereunder.

41 "Mobility assistance vehicle" means a chauffeured vehicle that is
42 staffed by certified trained personnel, and which is used to transport a
43 non-ambulatory Medicaid beneficiary who is sick, has an infirmity, or
44 has a disability, and is under the care and supervision of a physician,
45 and whose medical condition is not of sufficient magnitude or gravity
46 to require transportation by ambulance, but is of sufficient magnitude
47 or gravity to require transportation from place to place for medical

1 care, and whose use of an alternate form of transportation might create
2 a serious risk to the beneficiary's life or health.

3 "Paratransit service" means and includes any transportation
4 service, other than fixed route transportation service, that is provided
5 by the New Jersey Transit Corporation, whether directly or indirectly
6 through contract, to comply with the requirements of the federal
7 "Americans with Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.),
8 by the Department of Labor and Workforce Development pursuant to
9 P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the
10 "Senior Citizen and Disabled Resident Transportation Assistance Act,"
11 P.L.1983, c.578 (C.27:25-25 et seq.). "Paratransit service" shall
12 include Medicaid transportation service.

13 "Taxicab" means an autocab or taxi as defined in R.S.48:16-1,
14 excluding school buses as defined in R.S.39:1-1, omnibuses as defined
15 in R.S.39:1-1, and limousines.

16 "Transportation network company" means a corporation,
17 partnership, sole proprietorship, or other entity that is registered as a
18 business in the State or operates in this State, and uses a digital
19 network to connect a transportation network company rider to a
20 transportation network company driver to provide a prearranged ride.
21 For the purposes of this definition, the terms "digital network,"
22 "prearranged ride," "transportation network company driver," and
23 "transportation network company rider" shall have the same meanings
24 as provided in section 2 of P.L.2017, c.26 (C.39:5H-2).

25 b. Notwithstanding any law, rule, or regulation to the contrary,
26 and to the extent permissible under federal law, for a period of two
27 years following the effective date of this act, taxicabs, limousines, and
28 transportation network companies shall be permitted to provide
29 paratransit service within the State.

30 c. Within 60 days of the termination of the two-year period in
31 which the provision of paratransit services is permitted by taxicabs,
32 limousines, and transportation network companies, each paratransit
33 provider that provided paratransit service by means of a taxicab,
34 limousine, or transportation network company shall prepare and
35 submit a report to the department containing the following
36 information:

37 (1) information on the number of paratransit service rides provided
38 during the two-year period;

39 (2) information on any vehicle safety, labor, environmental, or any
40 other applicable violations that occurred during the provision of
41 paratransit services; and

42 (3) information pertaining to each motor vehicle accident that
43 occurred during the provision of paratransit services and any related
44 injuries or insurance claims that resulted from each motor vehicle
45 accident.

46 d. Within 90 days of the termination of the two-year period in
47 which the provision of paratransit services is permitted by taxicabs,

1 limousines, and transportation network companies, the Department of
2 Transportation, in consultation with the New Jersey Transit
3 Corporation, the Department of Human Services, the Department of
4 Labor and Workforce Development, and the Department of Health,
5 shall prepare and submit a report to the Governor and, pursuant to
6 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature
7 concerning the efficacy of allowing taxicabs, limousines, and
8 transportation network companies to provide paratransit services in the
9 State. The report shall include, at a minimum:

10 (1) information on the number of contracts entered into with
11 paratransit providers that are taxicabs, limousines, or transportation
12 network companies during the two-year period;

13 (2) information concerning the advantages and disadvantages of
14 permitting taxicabs, limousines, and transportation network companies
15 to provide paratransit services;

16 (3) a summary of the information provided to the department by
17 each paratransit service provider pursuant to subsection c. of this
18 section; and

19 (4) a recommendation of whether the temporary provision of
20 paratransit service by taxicabs, limousines, and transportation network
21 companies should be made permanent.

22 The department shall publish the report on the department's Internet
23 website following the submission of the report to the Governor and
24 Legislature.¹

25
26 ¹[4.] 2.¹ This act shall take effect ¹**[immediately]** on the first
27 day of the fourth month next following the date of enactment, but the
28 Commissioner of Transportation may take anticipatory administrative
29 action in advance thereof as shall be necessary for the implementation
30 of this act, and shall expire following the submission of the
31 department's report to the Governor and the Legislature pursuant to
32 subsection d. of section 1 of this act¹.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 360

STATE OF NEW JERSEY

DATED: JANUARY 25, 2024

The Senate Transportation Committee reports favorably Senate Bill No. 360.

As reported, this bill modifies the definition of “paratransit service” under various sections of law to mean and include any transportation service other than fixed route transportation service or motorbus regular route service.

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

The bill’s expanded definition of “paratransit service” may enable paratransit service operators, including the New Jersey Transit Corporation, to contract with certain paratransit service providers that are otherwise disqualified under current law, including, but not limited to, the providers of private or charter services via taxicabs, limousines, or transportation network companies.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 360

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 360.

As amended and reported, this bill permits taxicabs, limousines, and transportation network companies (TNCs) to provide paratransit services in the State for a period of two years.

The bill requires, within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, each paratransit provider that provides paratransit service by means of a taxicab, limousine, or TNC to prepare and submit a report to the Department of Transportation (department) containing the following information: (1) information on the number of paratransit service rides provided during the two-year period; (2) information on any vehicle safety, labor, environmental, or any other applicable violations that occurred during the provision of paratransit services; and (3) information pertaining to each motor vehicle accident that occurred during the provision of paratransit services and any related injuries or insurance claims that resulted from each motor vehicle accident.

The bill also requires, within 90 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, the department, in consultation with the New Jersey Transit Corporation, the Department of Human Services, the Department of Labor and Workforce Development, and the Department of Health, to prepare and submit a report to the Governor and Legislature concerning the efficacy of allowing taxicabs, limousines, and TNCs to provide paratransit services in the State. The report is required to include, at a minimum: (1) information on the number of contracts entered into with paratransit providers that are taxicabs, limousines, or TNCs during the two-year period; (2) information concerning the advantages and disadvantages of permitting taxicabs, limousines, and TNCs to provide paratransit service; (3) a summary of the information provided to the department by each paratransit service provider; and (4) a recommendation of whether the temporary provision of paratransit service by taxicabs, limousines, and TNCs should be made permanent.

Finally, the department is required to publish the report on the department's Internet website following the submission of the report to the Governor and Legislature.

Under current law, the definition of "paratransit service" generally excludes private or charter services provided by taxicabs, limousines, or transportation network companies.

As amended and reported by the committee, Senate Bill No. 360 is identical to Assembly Bill No. 2607, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) remove provisions of the bill that modify the definition of "paratransit service" under various sections of law to permit providers of private or charter services via taxicabs, limousines, or transportation network companies to provide paratransit service and instead establish a two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs;

(2) add a requirement that within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, each paratransit provider that provided paratransit service by means of a taxicab, limousine, or TNC prepare and submit a report to the department containing certain information;

(3) add a requirement that within 90 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, the department, in consultation with the New Jersey Transit Corporation, the Department of Human Services, the Department of Labor and Workforce Development, and the Department of Health, prepare and submit a report to the Governor and Legislature concerning the efficacy of allowing taxicabs, limousines, and TNCs to provide paratransit services in the State, which report is to include certain additional information;

(4) require the department to publish the report on the department's Internet website following the submission of the report to the Governor and Legislature;

(5) change the bill's effective date to provide that the bill takes effect on the first day of the fourth month next following the date of enactment, rather than taking effect immediately;

(6) provide that the bill expires following the submission of the department's report to the Governor and Legislature; and

(7) amend the title and synopsis to reflect these changes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

ASSEMBLY BILL NO. 2607
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2607 (First Reprint) with my recommendations for reconsideration.

This bill authorizes taxicabs, limousines, and transportation network companies ("TNCs") to provide paratransit services in the State for a period of two years. The bill defines paratransit service as "any transportation service, other than fixed route transportation service, that is provided by the New Jersey Transit Corporation, whether directly or indirectly through contract, to comply with the requirements of the federal 'Americans with Disabilities Act of 1990' (42 U.S.C. s.12101 et seq.), by the Department of Labor and Workforce Development pursuant to P.L.1987, c.455 (C.34:16-51 et seq.), and by counties under the 'Senior Citizen and Disabled Resident Transportation Assistance Act,' P.L.1983, c.578 (C.27:25-25 et seq.)." The bill further specifies that paratransit service "shall include Medicaid transportation service." Medicaid transportation service is defined as "the non-emergency medical transport of a beneficiary of the Medicaid program, which service is provided through the use of a mobility assistance vehicle or livery vehicle, is necessary for the beneficiary to receive covered medical services, and is provided in compliance with Title XIX of the federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968, c.413 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any rules or regulations adopted thereunder."

The bill also includes two reporting requirements. Within 60 days of the two-year period, each paratransit provider that provided paratransit service by means of a taxicab, limousine, or TNC, must report to the Department of Transportation ("DOT") information about the number of trips provided, certain legal

compliance information, and information about each accident that occurred. Within 90 days of the two-year period, the DOT, in consultation with the New Jersey Transit Corporation, the Department of Human Services ("DHS"), the Department of Labor Workforce and Development, and the Department of Health, is required to submit to the Governor and the Legislature, and publish on its website a report on the effectiveness of allowing taxicabs, limousines, and TNCs to provide paratransit services.

I commend the bill's sponsors for recognizing the importance of ensuring our residents have access to paratransit services. The bill expands paratransit options for our vulnerable communities in a manner that has proven both user-friendly and cost-effective. I am concerned however, that the bill may conflict with and undermine the laws and regulations that govern Medicaid transportation services – rules that are in place to protect and better serve the State's Medicaid beneficiaries.

DHS is currently tasked with providing non-emergency medical transportation to Medicaid beneficiaries, which is done through a third-party broker. DHS also mandates that the third-party broker that it engages "to provide nonemergency transportation[,] shall require that all transportation professionals contracted with the broker be approved by the Division of Medical Assistance and Health Service." N.J.A.C. 10:50-1.3. This approval is contingent on meeting certain safeguards, including cardiopulmonary resuscitation (CPR) certification, a clean driving record, and a valid driver's license. Once approved, the transportation provider receives a Medicaid provider number. These criteria are important to ensure the protection and well-being of the Medicaid beneficiaries for whom these services are provided.

The bill's provisions concerning Medicaid transportation services were added in late amendments just days before final passage. I am concerned that these amendments may compromise the safety of Medicaid beneficiaries or the integrity of the Medicaid program by exempting taxicabs, limousines, and TNCs from program requirements that apply to other transportation providers, even though I am certain that was not the intent of the Legislature.

I am therefore recommending revisions to address this issue and ensure that Medicaid transportation continue to be provided in a manner consistent with existing laws and program requirements, even when provided by a taxicab, limousine, or TNC.

Therefore, I herewith return Assembly Bill No. 2607 (First Reprint) and recommend that it be amended as follows:

Page 9, Section 1, Line 4:

After "service" insert ", as delivered through the Medicaid program's non-emergency medical transportation broker and in accordance with the rules and regulations set forth by the Department of Human Services"

Page 9, Section 1, Line 17:

After "contrary," insert "except any law, rule or regulation governing the Medicaid program's non-emergency medical transportation approval process,"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

Governor Murphy Takes Action on Legislation

09/12/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

S-721/A-2812 (Steinhardt, Sarlo/Greenwald, Swain, Egan) - Exempts sales of investment metal bullion and investment coins from sales and use tax

S-741/A-2608 (Diegnan/Karabinchak) - Authorizes State Treasurer to sell as surplus certain real property and improvements in City of Jersey City in Hudson County

SCS for S-2188/ACS for A-1970 (Ruiz, Greenstein/Speight, Karabinchak, Verrelli) – Requires DEP, DOH, owners or operators of certain public community water systems, and owners or operators of certain buildings or facilities to take certain actions to prevent and control cases of Legionnaires' disease

S-2311/A-1128 (Singleton, Singer/DiMaio, Matsikoudis) - Requires criminal history background check for individuals seeking licensure issued by boards regulating certain health care professions

S-2435/A-3537 (Greenstein, Mukherji/Stanley, McCoy, Murphy) - Revises certain requirements concerning eligibility for reimbursement from “Emergency Medical Technician Training Fund”

S-2607/A-3872 (Ruiz, McKnight/Pintor Marin, Calabrese, Speight) - Requires private bus operators to provide notice and hold public meetings for certain service changes

S-2810/A-3779 (Diegnan/DeAngelo, Karabinchak, Bagolie) - Changes membership of board of trustees of SPRS to remove requirement that two members be private citizens

S-3097/A-4226 (Pou, Sarlo/Wimberly, Sumter) - Modifies requirements for certain projects under Economic Redevelopment and Growth Grant program

S-3134/A-4192 (Diegnan, Moriarty/Calabrese, Carter) - Requires MVC to take certain action concerning commercial driver licenses and commercial learner’s permits

S-3235/A-4461 (Ruiz, Moriarty/Conaway, Miller, Sampson) – Regulates production and sale of certain intoxicating hemp products

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S-3368/A-4623 (Ruiz, McKnight/Calabrese, Stanley, Reynolds-Jackson) - Concerns law protecting residential tenants from lead-based paint hazards

S-3407/A-4540 (Lagana/Verrelli) - Requires payment of prevailing wage for projects financed through commercial property assessed clean energy program

A-2610/S-3203 (Karabinchak, Calabrese, Sauickie/Gopal) - Extends annual horse racing purse subsidies through State fiscal year 2029

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A-2890/S-3231 (Verrelli, Reynolds-Jackson, Quijano/Cryan) - Permits temporary appointment of additional members to the Board of Review in the Division of Employment Security

A-4035/S-2809 (Dunn, Speight/Bucco, Pennacchio) - Requires State to sell as surplus property certain land and improvements in Morris County known as Central Park School

A-4533/S-3421 (Coughlin, Wimberly, Speight/Zwicker, Johnson) - Revises certain sections of law concerning financing mechanisms for school facilities projects of regular operating districts

A-4534/S-3439 (Coughlin, Wimberly, Schnall/Vitale, Mukherji) - Revises definition of qualified assistance fund expenses under UEZ program to include costs of transportation infrastructure projects and related debt service

Governor Murphy conditionally vetoed the following bills:

S-2864/A-4061 (Lagana/Verrelli, Swain, Venezia) – CONDITIONAL - Establishes working hours for certain minors employed as professional athletes

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S-3455/A-4597 (Sarlo, Burzichelli/Calabrese, Moen, Stanley) – CONDITIONAL - Provides for automatic renewal of off-track wagering licenses

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A-2180/S-3000 (Moen, Wimberly, Murphy/Beach, Polistina) – CONDITIONAL - Permits certain persons to operate Type S school buses

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A-2294/S-1443 (Lopez, Freiman, Tully/Singleton, Johnson) – CONDITIONAL - Establishes mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida

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A-2607/S-360 (Karabinchak, Calabrese, Inganamort/Diegnan, Mukherji) – CONDITIONAL - Authorizes taxicabs, limousines, and transportation network companies to provide paratransit services for two-year period

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Governor Murphy Takes Action on Legislation

10/4/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

A-2180wGR/S-3000 (Moen, Wimberly, Murphy/Beach, Polistina) - Permits certain school personnel to transport students.

A-2607wGR/S-360 (Karabinchak, Calabrese, Inganamort/Diegnan, Mukherji) - Authorizes taxicabs, limousines, and transportation network companies to provide paratransit services for two-year period.