

48:4-1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 48:4-1 et al;39:3-19; 54:39-66; 54:39A-2

(Bus regulation--  
add "regular route  
in the nature of  
special bus  
operators")

LAWS OF: 1987

CHAPTER: 445

Bill No: S64

Sponsor(s): Hurley

Date Introduced: Pre-filed

Committee: Assembly: Transportation, Communications and High Technology  
Appropriations

Senate: Transportation and Commuications

Amended during passage: Yes

Amendments  
during passage  
denoted by  
asterisks

Date of Passage: Assembly: January 11, 1988

Senate: February 2, 1987

Date of Approval: January 19, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes 3-12-87 & 6-25-87

Senate: Yes

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Message on signing: No

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SENATE, No. 64

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator HURLEY

AN ACT concerning regular route in the nature of special bus operations and amending R. S. 48:4-1, P. L. 1973, c. 158, P. L. 1983, c. 517, R. S. 39:3-19, R. S. 54:39-66 and P. L. 1963, c. 44.

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

1 1. R. S. 48:4-1 is amended to read as follows:

2 48:4-1. The term "autobus" as used in this chapter means and  
3 includes, except as hereinafter noted, any motor vehicle or motor-  
4 bus operated over public highways or public places in this State  
5 for the transportation of passengers for hire in intrastate business,  
6 *whether used in regular route, casino, charter or special bus opera-*  
7 *tions*, notwithstanding such motor vehicle or motorbus may be  
8 used in interstate commerce.

9 The term "ridesharing" as used in this chapter means the trans-  
10 portation of persons in a motor vehicle, with a maximum carrying  
11 capacity of not more than 15 passengers, including the driver, where  
12 such transportation is incidental to the purpose of the driver. The  
13 term shall include such ridesharing arrangements known as car-  
14 pools and vanpools.

15 Nothing contained herein shall be construed to include:

16 a. Vehicles engaged in the transportation of passengers for hire  
17 in the manner and form commonly called taxicab service unless such  
18 service becomes or is held out to be regular service between stated  
19 termini;

20 b. Hotel buses used exclusively for the transportation of hotel  
21 patrons to or from local railroad or other common carrier stations  
22 including local **\*\*[airport]\*\*** *\*\*airports\*\**;

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted June 19, 1986.

\*\*—Assembly committee amendments adopted June 25, 1987.

23 c. Buses operated for the transportation of enrolled children and  
 24 adults only when serving as chaperones to or from a school, school  
 25 connected activity, day camp, summer day camp, nursery school,  
 26 child care center, pre-school center or other similar places of educa-  
 27 tion, including "School Vehicle Type I" and "School Vehicle Type  
 28 II" as defined in R. S. 39:1-1:

29 d. Any autobus with a carrying capacity of not more than 13  
 30 passengers operated under municipal consent upon a route  
 31 established wholly within the limits of a single municipality or with  
 32 a carrying capacity of not more than 20 passengers operated under  
 33 municipal consent upon a route established wholly within the limits  
 34 of not more than four contiguous municipalities within any county  
 35 of the fifth or sixth class, which route in either case does not in whole  
 36 or in part parallel upon the same street the line of any street railway  
 37 or traction railway or any other autobus route;

38 e. Autocabs, limousines or livery services as defined in R. S.  
 39 48:16-13, unless such service becomes or is held out to be regular  
 40 service between stated termini;

41 f. Any vehicle used in a "ridesharing" arrangement, as defined  
 42 by the "New Jersey Ridesharing Act of 1981" (P. L. 1981, c. 413).

43 The word "person" as used in this chapter means and includes  
 44 any individual, copartnership, association, corporation or joint  
 45 stock company, their lessees, trustees, or receivers appointed by any  
 46 court.

47 The word "street" as used in this chapter means and includes any  
 48 street, avenue, park, parkway, highway, road or other public place.

49 *The term "regular route bus operation" as used in this chapter*  
 50 *means and includes the operation of an autobus between fixed*  
 51 *termini, on a regular schedule and with provision for convenient*  
 52 *one-way transportation in either direction\*, and shall also include*  
 53 *all existing regular route operations to or from any casino licensed*  
 54 *under the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1*  
 55 *et seq.), unless that operation to or from casinos has been deter-*  
 56 *mined by the Commissioner of Transportation to be other than a*  
 57 *regular route operation\*.*

57A *The term "regular route in the nature of special bus operation"*  
 57B *or "casino bus operation" as used in this chapter means and in-*  
 57C *cludes the operation of an autobus to or from any casino licensed*  
 57D *under the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1*  
 57E *et seq.), unless that operation has been determined by the Com-*  
 57F *missioner of Transportation to be a regular route bus operation.*

58 The term "charter bus operation" as used in this chapter means  
 59 and includes the operation of an autobus or autobuses, *not on a*

60 *regular schedule*, by the person owning or leasing such bus or buses  
 61 pursuant to a contract, agreement or arrangement to furnish an  
 62 autobus or autobuses and a driver or drivers thereof to a person,  
 63 group of persons or organization (corporate or otherwise) for a  
 64 trip designated by such person, group of persons or organization  
 65 for a fixed charge per trip, per autobus, *per period of time* or per  
 66 mile.

67 The term "special bus operation" as used in this chapter means  
 68 and includes the operation by the owner or lessee of an autobus or  
 69 autobuses for the purpose of carrying passengers for hire, *not on a*  
 70 *regular schedule*, each passenger paying a fixed charge for his  
 71 carriage, on a special trip arranged and designated by such owner  
 72 or lessee, which fixed charge may or may not include [meals, lodg-  
 73 ing, entertainment or other charges] *special premiums*.

74 The term "*special premiums*" as used in this chapter means the  
 75 *provision of meals, gifts, lodging, entertainment, sightseeing*  
 76 *services or other similar inducements in connection with the pur-*  
 77 *chase or issuing of a ticket. No casino bonuses shall be included*  
 78 *in this definition.*

1 2. Section 10 of P. L. 1973, c. 158 (C. 48:4-3.1) is amended to  
 2 read as follows:

3 10. Nothing in this act shall preclude the [board] Commissioner  
 4 of Transportation from limiting certificates of public convenience  
 5 and necessity by imposing conditions as to the area of operation,  
 6 route of operation, expiration of the certificate, equipment, mainte-  
 7 nance, service or such other condition as public convenience and  
 8 necessity may reasonably require or permit, *or for providing, with*  
 9 *respect to regular route bus operations, for any special provisions*  
 10 *relating to \*the issuance of\* certificates of public convenience and*  
 11 *necessity, and petitions and \*【preceedings】\* \*proceedings\* con-*  
 12 *cerning \*the issuance of\* those certificates, as public convenience*  
 13 *and necessity may reasonably require or permit.*

1 3. Section 6 of P. L. 1983, c. 517 (C. 48:4-2.25) is amended to  
 2 read as follows:

3 6. The provisions of this act shall apply to the rates, fares and  
 4 charges of autobuses for *casino bus operations*, charter bus opera-  
 5 tions and special bus operations in the same manner as they apply  
 6 to the rates, fares and charges of autobuses for regular route  
 7 service except that:

8 a. The commissioner may establish a different "zone of rate  
 9 freedom" for *casino*, charter and special bus operations relying  
 10 on the special features of this sector of the bus industry;

11 b. Public notice regarding the rates, fares, and charges for  
 12 *casino*, charter and special bus operations pursuant to section 4  
 13 of this act shall only be required to be posted in all bus terminals  
 14 served by the autobus offering *casino*, charter or special services  
 15 at least 10 days prior to the effective date of the adjusted rates,  
 16 fares, or charges;

17 c. Upon petition or upon his own motion, the commissioner may  
 18 exempt *casino*, charter or special rates, fares and charges of any  
 19 owner or operator of an autobus offering *casino*, charter or special  
 20 bus operations, or rates, fares and charges of any portion of these  
 21 operations, from regulation under Title 48 of the Revised Statutes  
 22 if, in his opinion, there are circumstances prevalent with respect  
 23 to those operations, or any portion thereof, which will be con-  
 24 sistent with the interests of the consumers or users of *casino*,  
 25 charter or special bus services;

26 d. *Upon petition or upon his own motion, the commissioner may*  
 27 *exempt casino, charter and special rates, fares and charges of all*  
 27A *owners or operators of autobuses offering casino, charter or spe-*  
 28 *cial bus operations from regulation under Title 48 of the Revised*  
 28A *Statutes if, in his opinion, there are circumstances prevalent with*  
 28B *respect to the casino, charter and special bus sector of the bus in-*  
 28C *dustry, which will be consistent with the interests of the consumers*  
 28D *or users of casino, charter and special bus services;*

29 **[d.** Upon petition or upon his own motion, the commissioner  
 30 may exempt charter and special rates, fares and charges of all  
 31 owners or operators of autobuses offering charter or special bus  
 32 operations from regulation under Title 48 of the Revised Statutes  
 33 if, in his opinion, there are circumstances prevalent with respect  
 34 to the charter and special bus sector of the bus industry, which will  
 35 be consistent with the interests of the consumers or users of  
 36 charter and special bus services;**]** and

37 **[e.]** e. The commissioner may reimpose regulation under Title  
 38 48 of the Revised Statutes of *casino*, charter **[and]** or special rates,  
 39 fares and charges of owners or operators of autobuses offering  
 40 *casino*, charter or special bus operations if, in his opinion, there  
 41 are circumstances prevalent with respect to the *casino*, charter  
 42 **[and]** or special bus industry which are or will be inconsistent  
 43 with the interests of the consumers or users of *casino*, charter  
 44 **[and]** or special bus services.

1 4. R. S. 39:3-19 is amended to read as follows:

2 39:3-19. For each vehicle used as an omnibus for the transporta-  
 3 tion of passengers for hire the applicant for the registration thereof  
 4 shall pay an annual fee as follows:

5 \$30.00 for each vehicle having a seating capacity of 15 passengers  
6 or less;

7 \$45.00 for each vehicle having a seating capacity of not less than  
8 19 nor more than 30 passengers;

9 \$45.00 for vehicles having a seating capacity of more than 30  
10 passengers and an additional fee of \$3.00 for each passenger  
11 measured by the seating capacity in excess of 30 passengers.

12 Whenever the number of regular route passengers carried by an  
13 applicant in the previous calendar year represents 75% or more  
14 of the combined number of passengers carried on regular route,  
15 *casino*, special and charter *bus* operations during that year, then  
16 such applicant shall pay \$10.00 per annum for the registration of  
17 each vehicle used as an omnibus for the transportation of pas-  
18 sengers for hire in lieu of the annual fees hereinbefore prescribed.  
19 In addition, any applicant who is operating regular route bus  
20 service under a contract with the [Commuter Operating Agency  
21 pursuant to P. L. 1966, c. 301,] *New Jersey Transit Corporation*  
22 *pursuant to P. L. 1979, c. 150 (C. 27:25-1 et seq.)*, shall pay \$10.00  
23 per annum for the registration of each vehicle used as an omnibus  
24 for the transportation of passengers for hire in lieu of the annual  
25 fees hereinbefore prescribed and without regard to the afore-  
26 mentioned 75% requirement.

27 Applicants seeking to register a vehicle for the reduced fee shall  
28 first obtain a letter from the [Board of Public Utility Commis-  
29 sioners] *Department of Transportation* certifying that the number  
30 of regular route passengers carried by the applicant in the previous  
31 calendar year represents 75% or more of the combined number of  
32 passengers carried on regular route, *casino*, special and charter  
33 *bus* operations during that year, or in the case of applicants  
34 operating under contract with the [Commuter Operating Agency  
35 pursuant to P. L. 1966, c. 301] *New Jersey Transit Corporation*  
36 *pursuant to P. L. 1979, c. 150 (C. 27:25-1 et seq.)* shall obtain a  
37 letter *from the corporation* certifying that they are under such a  
38 contract [from the Commuter Operating Agency]. Applicants  
39 shall present the appropriate letters of certification with their  
40 applications for omnibus registration to the Director of the Di-  
41 vision of Motor Vehicles.

42 The director shall provide identification marks of the general  
43 style and kind provided for motor vehicle registrations, assigning a  
44 number to each identification mark, and before each number the  
45 letter "O" shall be placed.

46 Every applicant for omnibus registration shall make application,  
47 setting forth the fact that he is in the business of transporting

48 passengers for hire: and the director, if satisfied of the correctness  
 49 of the statements made in such application, may issue a registration  
 50 certificate for omnibus license.

51 Nothing in this section shall prohibit the use by an omnibus  
 52 operator of any automobile duly licensed by him as owner.

1 5. R. S. 54:39-66 is amended to read as follows:

2 54:39-66. Any person:

3 (1) Who shall use any fuels as herein defined for any of the  
 4 following purposes:

5 (a) (Deleted by amendment.)

6 (b) Autobuses while being operated over the highways of  
 7 this State in those municipalities to which the operator has  
 8 paid a monthly franchise tax for the use of the streets  
 9 therein\***[.]**\* under the provisions of R. S. 48:16-25 and auto-  
 10 buses while being operated over the highways of this State  
 11 **[to provide regular route passenger service]** *in a regular*  
 12 *route bus operation as defined in R. S. 48:4-1 and under oper-*  
 13 *ating authority conferred pursuant to R. S. 48:4-3, \*or while*  
 13A *providing bus service under a contract with the New Jersey*  
 13B *Transit Corporation or under a contract with a county for*  
 13C *special or rural transportation bus service subject to the*  
 13D *jurisdiction of the New Jersey Transit Corporation pursuant*  
 13E *to P. L. 1979, c. 150 (C. 27:25-1 et seq.), and autobuses pro-*  
 13F *viding commuter bus service which receive or discharge pas-*  
 13G *sengers in New Jersey. For the purpose of this paragraph*  
 13H *“commuter bus service” means regularly scheduled passenger*  
 13I *service provided by motor vehicles whether within or across*  
 13J *the geographical boundaries of New Jersey and utilized by*  
 13K *passengers using reduced fare, multiple ride or commutation*  
 13L *tickets and shall not include charter bus operations or special*  
 13M *bus operations as defined in R. S. 48:4-1 or buses operated*  
 13N *for the transportation of enrolled children and adults referred*  
 13O *to in **\*\*[paragraph]\*\*** **\*\*subsection\*\*** c. of R. S. 48:4-1,\**

14 (c) Agricultural tractors not operated on a public highway,

15 (d) Farm machinery,

16 (e) Aircraft,

17 (f) Ambulances,

18 (g) Rural free delivery carriers in the dispatch of their  
 19 official business,

20 (h) Such vehicles as run only on rails or tracks, and such  
 21 vehicles as run in substitution **\*\*[thereof]\*\*** **\*\*therefor\*\***,

- 22 (i) Such highway motor vehicles as are operated exclusively  
23 on private property.
- 24 (j) Motor boats or motor vessels used exclusively for or in  
25 the propagation, planting, preservation and gathering of  
26 oysters and clams in the tidal waters of this State,
- 27 (k) Motor boats or motor vessels used exclusively for com-  
28 mercial fishing.
- 29 (l) Motor boats or motor vessels, while being used for hire  
30 for fishing parties or being used for sightseeing or excursion  
31 parties,
- 32 (m) Cleaning,
- 33 (n) Fire engines and fire-fighting apparatus.
- 34 (o) Stationary machinery and vehicles or implements not  
35 designed for the use of transporting persons or property on the  
36 public highways,
- 37 (p) Heating and lighting devices,
- 38 (q) Fuels previously taxed under this chapter and later  
39 exported or sold for exportation from the State of New Jersey  
40 to any other state or country; provided\*\*,\*\* proof satisfactory  
41 to the director of such exportation is submitted,
- 42 (r) Motor boats or motor vessels used exclusively for Sea  
43 Scout training by a duly chartered unit of the Boy Scouts of  
44 America,
- 45 (s) Emergency vehicles used exclusively by volunteer first-  
46 aid or rescue squads, and
- 47 (t) Diesel fuel, the increase in the tax thereof as imposed by  
48 P. L. 1984, c. 73, as used by passenger automobiles and motor  
49-51 vehicles of less than 5,000 pounds gross weight;
- 52 (2) Who shall have paid the tax for such fuels, hereby required  
53 to be paid, shall be reimbursed and repaid the amount of tax so  
54 paid upon presenting to the director an application for such reim-  
55 bursement or repayment, in form prescribed by the director, which  
56 application shall be verified by a declaration of the applicant that  
57 the statements contained therein are true. Such application for  
58 reimbursement or repayment shall be supported by an invoice, or  
59 invoices, showing the name and address of the person from whom  
60 purchased, the name of the purchaser, the date of purchase, the  
61 number of gallons purchased, the price paid per gallon, and an  
62 acknowledgment by the seller that payment of the cost of the fuel,  
63 including the tax thereon, has been made. Such invoice, or invoices,  
64 shall be legibly written and shall be void if any corrections or  
65 erasures shall appear on the face thereof.



66 The director may, in his discretion, permit a distributor entitled  
 67 to a refund under the provisions of this section to take credit  
 68 therefor, in lieu of such refund, in such manner as the director may  
 69 require, on a report filed pursuant to R. S. 54:39-27.

70 Any refund granted to a person under subsection (1) (e), for  
 71 fuel used in aircraft, shall be paid from the moneys deposited in the  
 72 Airport Safety Fund established by section 4 of the "New Jersey  
 73 Airport Safety Act of 1983," P. L. 1983, c. 264 (C. 6:1-92). Such  
 74 refunds shall be granted on an annual basis.

1 6. Section 2 of P. L. 1963, c. 44 (C. 54:39A-2) is amended to read  
 2 as follows:

3 2. For the purpose of this act, unless inconsistent with the  
 4 context:

5 (a) "User" means every person, firm or corporation who or  
 6 which **consumes motor fuels for the propulsion of** *operates or*  
 7 *causes to be operated any motor* **vehicles owned or controlled**  
 7A **by him** *vehicle* on any highway in this State. **The term shall**  
 8 include a lessor when said lessor provides the motor fuel used  
 9 in the vehicles operated by the lessee. The terms shall not include  
 10 any public utility as defined in R. S. 4S:2-13, which functions solely  
 11 within the State of New Jersey provided that all of the fuel used  
 12 by the vehicles of said public utility is purchased within the State,  
 13 except on occasional emergencies, and the fuel tax thereon is paid  
 14 at the time of purchase **The term shall include a rental company**  
 14A *in the case of a rental vehicle.*

15 (b) "Motor vehicle" means any omnibus that has seats for more  
 16 than 10 passengers in addition to the driver, or road tractor, or any  
 17 truck tractor, or any truck having a gross *or registered* weight,  
 18 *whichever is greater*, in excess of 18,000 pounds alone or in com-  
 18A *bination with a motor-drawn vehicle.*

19 (c) "Exempt vehicle" means:

20 (1) Any vehicle owned or operated by an agency of this State  
 21 or any political subdivision thereof, or any quasi-governmental  
 22 authority of which this State is a participating member, or any  
 23 agency of the **\*\*[Federal Government]\*\*** *\*\*federal govern-*  
 24 *ment\*\** or the District of Columbia, or of any **\*\*[State]\*\***  
 24A *\*\*state\*\** or province or political subdivision thereof.

25 (2) School bus as defined in R. S. 39:1-1.

26 (3) Vehicles operated under authority of dealer, manu-  
 27 facturer, converter and transporter general registration plates  
 28 such as prescribed in R. S. 39:3-18 and similar laws of other  
 29 states.

30 (4) Special mobile equipment not designed or used primarily  
31 for the transportation of persons or property.

32 (5) Vehicles operated not for profit by any religious or  
33 charitable organization.

34 (6) Vehicles operated by a public utility as defined in R. S.  
35 48:2-13, *\*\*or under a contract with the New Jersey Transit*  
36 *Corporation or under a contract with a county for special or*  
37 *rural transportation bus service subject to the jurisdiction of*  
38 *the New Jersey Transit Corporation pursuant to P. L. 1979,*  
38A *c. 150 (C. 27:25-1 et seq.)\*\** whose operations are limited to  
38B the State of New Jersey[, providing that all of the fuel used  
38C by said vehicles is purchased within the State, except on  
38D occasional emergencies, and the fuel taxes paid thereon at the  
38E time of purchase]\*\*, *or vehicles providing commuter bus*  
38F *service which receive or discharge passengers in New Jersey\*\*.*

39 (7) Vehicles operated, not for hire, by a farmer as defined in  
40 R. S. 39:3-25.

41 (8) Vehicles used to transport farm labor.

42 (d) "Operations" means operations of all motor vehicles, [other  
43 than exempt vehicles, owned or controlled by the user,] whether  
44 loaded or empty, whether for compensation or not for compensa-  
45 tion, *and whether owned by, contracted for use by, or leased by*  
45A *the user who operates or causes them to be operated\*\*,\*\** except  
45B [operation] operations of an omnibus [within any municipality of  
46 this State in the regular route passenger service provided] *in a*  
47 *regular route bus operation as defined in R. S. 48:4-1 and* under  
48 operating authority conferred pursuant to R. S. 48:4-3.

49 (e) The term "motor fuels" means any combustible liquid or  
50 gaseous substance used, or suitable, for the generation of power to  
51 propel motor vehicles.

52 (f) "Motor [vehicle] fuel tax" means the tax imposed under  
53 R. S. 54:39-1 et seq.

54 (g) "Director" shall mean the Director of the Division of Motor  
55 Vehicles in the Department of Law and Public Safety.

56 (h) "Purchaser" means the person, firm or corporation who or  
57 which purchased the fuel, and paid the motor vehicle *\*[fuels]\**  
58 *\*\*[\*fuels]\*\* \*\*fuel\*\** tax thereon, used in the motor vehicles of  
58A the user.

59 (i) "Vendor" means any person, firm or corporation licensed,  
60 or required by law to be licensed, by the Director of the Division of  
61 Taxation to sell, distribute, import or transport motor fuels within  
62 this State.

63 (j) "Bulk fuel" means fuel in quantities of not less than 500  
 64 gallons, delivered into storage tanks owned, or rented under lease  
 65 for a term of not less than one year, by the user for future con-  
 66 sumption. For the purposes of this act the term "storage tanks"  
 67 shall not apply to vehicle storage tanks used only to carry motor  
 68 fuels for use in propelling the vehicle carrying these tanks.

69 (k) "Rental vehicle" means a vehicle owned by a rental com-  
 70 pany and rented to the general public on an hourly, daily, trip, or  
 71 other **\*\*[short term]\*\*** **\*\*short-term\*\*** basis.

72 (l) "Rental **\*[Company]\*** **\*company\***" means a person engaged  
 73 in the business of renting vehicles to the general public, including  
 74 motor carriers, on an hourly, daily, trip, or other short term basis.

75 (m) "Commuter bus service" means regularly scheduled pas-  
 76 senger service provided by motor vehicles within or across the  
 77 geographical boundaries of New Jersey and utilized by passengers  
 78 using reduced fare, multiple ride or commutation tickets and shall  
 79 not include charter bus operations or special bus operations as  
 80 defined in R. S. 48:4-1 or buses operated for the transportation  
 81 of enrolled children and adults referred to in **\*\*[paragraph]\*\***  
 82 **\*\*subsection\*\*** c. of R. S. 48:4-1.\*

1 7. This act shall take effect immediately.

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#### TRANSPORTATION—AIR, RAIL, BUS, TRUCKS

Adds a new category of regulated autobus service, "regular route in the nature of special" or "casino bus operation" to existing categories.

---

43 that exempt vehicles, owned or controlled by the user.]\* whether  
 44 loaded or empty, whether for compensation or not for compensa-  
 45 tion, \*and whether owned by, contracted for use by, or leased by  
 45A the user who operates or causes them to be operated\* except \*[\*op-  
 45B eration]\* \*operations\* of an omnibus [within any municipality of  
 46 this State in the regular route passenger service provided] in a  
 47 regular route bus operation as defined in R. S. 48:4-1 and under  
 48 operating authority conferred pursuant to R. S. 48:4-3.

49 (e) The term "motor fuels" means any combustible liquid or  
 50 gaseous substance used, or suitable, for the generation of power to  
 51 propel motor vehicles.

52 (f) "Motor \*[\*vehicle]\* fuel tax" means the tax imposed under  
 53 R. S. 54:39-1 et seq.

54 (g) "Director" shall mean the Director of the Division of Motor  
 55 Vehicles in the Department of Law and Public Safety.

56 (h) "Purchaser" means the person, firm or corporation who or  
 57 which purchased the fuel, and paid the motor vehicle fuels tax  
 58 thereon, used in the motor vehicles of the user

59 (i) "Vendor" means any person, firm or corporation licensed,  
 60 or required by law to be licensed, by the Director of the Division of  
 61 Taxation to sell, distribute, import or transport motor fuels within  
 62 this State.

63 \*(j) "Bulk fuel" means fuel in quantities of not less than 500  
 64 gallons, delivered into storage tanks owned, or rented under lease  
 65 for a term of not less than one year, by the user for future con-  
 66 sumption. For the purposes of this act the term "storage tanks"  
 67 shall not apply to vehicle storage tanks used only to carry motor  
 68 fuels for use in propelling the vehicle carrying these tanks.

69 (k) "Rental vehicle" means a vehicle owned by a rental com-  
 70 pany and rented to the general public on an hourly, daily, trip, or  
 71 other short term basis.

72 (l) "Rental Company" means a person engaged in the business  
 73 of renting vehicles to the general public, including motor carriers,  
 74 on an hourly, daily, trip, or other short term basis.\*

1 7. This act shall take effect immediately.

Sponsor's

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STATEMENT

This bill adds a new category of regulated autobus service, "regular route in the nature of special bus operation" or "casino bus operation," to the existing categories of regular route operations, charter operations and special operations. This new category will include the operation of an autobus to or from any casino

licensed under the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1 et seq.) unless that operation has been determined by the Commissioner of Transportation to be a regular route bus operation.

These buses are regulated as regular route service buses under present law, although they are closer in most respects to special buses.

The bill would place casino bus operations on the same basis as charter and special operations with respect to taxes and fees. Buses in the new category would no longer be exempt from the motor fuel tax, the motor fuels use tax and the interstate bus excise tax and would no longer be eligible for a reduced registration fee.

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ASSEMBLY TRANSPORTATION, COMMUNICATIONS  
AND HIGH TECHNOLOGY COMMITTEE

STATEMENT TO

**SENATE, No. 64**

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**STATE OF NEW JERSEY**

DATED: MARCH 12, 1987

The Assembly Transportation, Communications and High Technology Committee reports favorably Senate Bill No. 64 OCR.

This bill adds a new category of regulated autobus service, "regular route in the nature of special bus operation" or "casino bus operation." to the existing categories of regular route operations, charter operations and special operations. This new category will include the operation of an autobus to or from any casino licensed under the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1 et seq.) unless that operation has been determined by the Commissioner of Transportation to be a regular route bus operation. These buses are regulated as regular route buses under present law, although they are closer in most respect to special buses.

The bill would place casino bus operations on the same basis as charter and special operations with respect to taxes and fees. Buses in this new category would no longer be exempt from the motor fuel tax, the motor fuels use tax and the interstate bus excise tax and would no longer be eligible for a reduced registration fee.

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ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

**SENATE, No. 64**

[OFFICIAL COPY REPRINT]

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 25, 1987

Senate Bill No. 64 OCR, as amended, clarifies the category of "regular route bus operation" and adds a new category to be known as the "regular route in the nature of special bus operation" or "casino bus operation" to the existing categories of regulated autobus service. This bill would place existing regular route casino bus operations in the "regular route bus operation" category and all other casino bus operations in the "regular route in the nature of special bus operations" category. Buses in existing regular route casino bus operations would continue to be exempt from the motor fuel tax, the motor fuel use taxes, and the interstate bus excise tax and would continue to be eligible for a reduced registration fee, unless the operation to or from casinos is determined by the Commissioner of Transportation to be other than a regular route operation. Casino bus operations placed in the new category would not be exempt from taxes and would not be eligible for reduced registration fees.

**FISCAL IMPACT:**

A fiscal note has not been completed at this time on this bill in order to determine the amount of increased revenues from the taxes and registration fees.

**COMMITTEE AMENDMENTS:**

The committee amendments are technical in nature, allowing the bill to reflect current law.

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SENATE TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**SENATE, No. 64**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 19, 1986

The Senate Transportation and Communications Committee reports Senate Bill No. 64 favorably and with Senate committee amendments.

This amended bill adds a new category of regulated autobus service, "regular route in the nature of special bus operation" or "casino bus operation," to the existing categories of regular route operations, charter operations and special operations. This new category will include the operation of an autobus to or from any casino licensed under the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1 et seq.) unless that operation has been determined by the Commissioner of Transportation to be a regular route bus operation. These buses are regulated as regular route buses under present law, although they are closer in most respects to special buses.

In order to clarify the status of regular route operations, the committee amended the bill to provide that all existing regular route operations to or from any licensed casino would be classified as regular route operations unless determined by the Commissioner of Transportation to be other than regular route.

The bill would place casino bus operations on the same basis as charter and special operations with respect to taxes and fees. Buses in this new category would no longer be exempt from the motor fuel tax, the motor fuels use tax and the interstate bus excise tax and would no longer be eligible for a reduced registration fee.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.