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LAW/RWH

P.L.2012, CHAPTER 20, *approved July 12, 2012*

Senate, No. 618

1 AN ACT concerning operation of school buses when transporting
2 certain disabled persons and amending P.L.1965, c.119 and
3 P.L.1942, c. 192.

4

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

7

8 1. Section 1 of P.L.1965, c.119 (C.39:3B-1) is amended to read
9 as follows:

10 1. Every bus when being used to transport children to and from
11 school pursuant to **[sections 18:14-8 to 18:14-12, inclusive, of the**
12 **Revised Statutes]** chapter 39 of Title 18A of the New Jersey
13 Statutes shall be equipped with electric identification and warning
14 lamps which, when such bus has stopped for the purpose of
15 receiving or discharging any school child, will exhibit a flashing red
16 light plainly visible at such a distance as will enable the driver of a
17 vehicle approaching or overtaking the bus to see the red light in
18 sufficient time to bring the same to a stop within 10 feet of the bus.
19 Such lamps shall meet the requirements prescribed by the **[State**
20 **Board of Education]** Motor Vehicle Commission, which
21 requirements shall not be inconsistent with the provisions of this
22 Title or any rule or regulation made pursuant thereto.

23 If a bus is equipped with electric identification and warning
24 lamps that are required under this section and is stopped for the
25 purpose of receiving or discharging a person who has a
26 developmental disability, the driver of the bus shall activate the
27 flashing lights and any other equipment, including a crossing
28 control arm, installed on the bus for the safety of passengers.

29 Nothing contained herein shall be construed to apply to any
30 motorbus when carrying passengers for hire over any street or road
31 and accepting and discharging indiscriminately such persons as may
32 offer themselves for transportation either at the termini or points
33 along the route on which it is being operated.

34 (cf: P.L.1965, c.119, s.1)

35

36 2. Section 1 of P.L.1942, c.192 (C.39:4-128.1) is amended to
37 read as follows:

38 1. On highways having roadways not divided by safety islands
39 or physical traffic separation installations, the driver of a vehicle
40 approaching or overtaking a bus, which is being used **[solely]** for
41 the transportation of children to or from school or a summer day
42 camp or any school connected activity, or which is being used for
43 the transportation of a person who has a developmental disability,

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 and which has stopped for the purpose of receiving or discharging
2 any child or a person who has a developmental disability, shall stop
3 such vehicle not less than 25 feet from such school bus and keep
4 such vehicle stationary until such child or person who has a
5 developmental disability has entered said bus or has alighted and
6 reached the side of such highway and until a flashing red light is no
7 longer exhibited by the bus; provided, such bus is designated as a
8 school bus by one sign on the front and one sign on the rear, with
9 each letter on such signs at least four inches in height.

10 On highways having dual or multiple roadways separated by
11 safety islands or physical traffic separation installations, the driver
12 of a vehicle overtaking a school bus, which has stopped for the
13 purpose of receiving or discharging any child or any person who
14 has a developmental disability, shall stop such vehicle not less than
15 25 feet from such school bus and keep such vehicle stationary until
16 such child or person who has a developmental disability has entered
17 said bus or has alighted and reached the side of the highway and
18 until a flashing red light is no longer exhibited by the bus.

19 On highways having dual or multiple roadways separated by
20 safety islands or physical traffic separation installations, the driver
21 of a vehicle on another roadway approaching a school bus, which
22 has stopped for the purpose of receiving or discharging any child, or
23 any person who has a developmental disability shall reduce the
24 speed of his vehicle to not more than 10 miles per hour and shall
25 not resume normal speed until the vehicle has passed the bus and
26 has passed any child who may have alighted therefrom or be about
27 to enter said bus.

28 For purposes of this section, "highway" means the entire width
29 between the boundary lines of every way whether publicly or
30 privately maintained when any part thereof is open to the public for
31 purposes of vehicular travel.

32 Whenever a school bus is parked at the curb for the purpose of
33 receiving children directly from a school or a summer day camp or
34 any school connected activity or discharging children to enter a
35 school, or a summer day camp or any school connected activity,
36 which is located on the same side of the street as that on which the
37 bus is parked, drivers of vehicles shall be permitted to pass said bus
38 without stopping, but at a speed not in excess of 10 miles per hour.

39 Whenever a school bus is parked at the curb for the purpose of
40 receiving or discharging a person who has a developmental
41 disability on the same side of the street as that on which the bus is
42 parked, drivers of vehicles shall be permitted to pass the bus
43 without stopping, but at a speed not in excess of 10 miles per hour.

44 The driver of a bus which is being used **[solely]** for the
45 transportation of children to or from school or a summer day camp
46 or any school connected activity, or for the transportation of a
47 person who has a developmental disability shall continue to exhibit

1 a flashing red light and shall not start his bus until every child who
2 may have alighted therefrom shall have reached a place of safety.

3 Any person who shall violate any provision of this act shall be
4 subject to (1) a fine of not less than \$100.00, (2) imprisonment for
5 not more than 15 days or community service for 15 days in such
6 form and on such terms as the court shall deem appropriate, (3) or
7 both for the first offense, and a fine not less than \$250.00,
8 imprisonment for not more than 15 days, or both for each
9 subsequent offense. The penalties shall be enforced and recovered
10 pursuant to the provisions of chapter 5 of Title 39 of the Revised
11 Statutes. There shall be a rebuttable presumption that the registered
12 owner of the vehicle which was involved in the violation of this
13 section was the person who committed the act. Any person who
14 suppresses, by way of concealment or destruction, any evidence of a
15 violation of this section or who suppresses the identity of the
16 violator shall be subject to a fine of \$100.

17 The ~~【Director of the Division of】~~ Chief Administrator of the
18 Motor ~~【Vehicles】~~ Vehicle Commission may also revoke the license
19 to drive a motor vehicle of any person who shall have been guilty of
20 such willful violation of any of the provisions of this act as shall, in
21 the discretion of the ~~【director】~~ chief administrator, justify such
22 revocation, but the ~~【director】~~ chief administrator shall, at all times,
23 have power to validate such a license which has been revoked, or to
24 grant a new license to any person whose license to drive a motor
25 vehicle shall have been revoked pursuant to this act.

26 (cf: P.L.2000, c.85, s.2)

27

28 3. This act shall take effect immediately.

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33 Requires school buses transporting certain disabled persons to
34 use flashing lights and establishes penalties for drivers who fail to
35 yield.

SENATE, No. 618

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator DIANE B. ALLEN

District 7 (Burlington)

Co-Sponsored by:

Senators Greenstein and Ruiz

SYNOPSIS

Requires school buses transporting certain disabled persons to use flashing lights and establishes penalties for drivers who fail to yield.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning operation of school buses when transporting
2 certain disabled persons and amending P.L.1965, c.119 and
3 P.L.1942, c. 192.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 1 of P.L.1965, c.119 (C.39:3B-1) is amended to read
9 as follows:

10 1. Every bus when being used to transport children to and from
11 school pursuant to **[sections 18:14-8 to 18:14-12, inclusive, of the**
12 **Revised Statutes]** chapter 39 of Title 18A of the New Jersey
13 Statutes shall be equipped with electric identification and warning
14 lamps which, when such bus has stopped for the purpose of
15 receiving or discharging any school child, will exhibit a flashing red
16 light plainly visible at such a distance as will enable the driver of a
17 vehicle approaching or overtaking the bus to see the red light in
18 sufficient time to bring the same to a stop within 10 feet of the bus.
19 Such lamps shall meet the requirements prescribed by the **[State**
20 **Board of Education]** Motor Vehicle Commission, which
21 requirements shall not be inconsistent with the provisions of this
22 Title or any rule or regulation made pursuant thereto.

23 If a bus is equipped with electric identification and warning
24 lamps that are required under this section and is stopped for the
25 purpose of receiving or discharging a person who has a
26 developmental disability, the driver of the bus shall activate the
27 flashing lights and any other equipment, including a crossing
28 control arm, installed on the bus for the safety of passengers.

29 Nothing contained herein shall be construed to apply to any
30 motorbus when carrying passengers for hire over any street or road
31 and accepting and discharging indiscriminately such persons as may
32 offer themselves for transportation either at the termini or points
33 along the route on which it is being operated.

34 (cf: P.L.1965, c.119, s.1)
35

36 2. Section 1 of P.L.1942, c.192 (C.39:4-128.1) is amended to
37 read as follows:

38 1. On highways having roadways not divided by safety islands
39 or physical traffic separation installations, the driver of a vehicle
40 approaching or overtaking a bus, which is being used **[solely]** for
41 the transportation of children to or from school or a summer day
42 camp or any school connected activity, or which is being used for
43 the transportation of a person who has a developmental disability,
44 and which has stopped for the purpose of receiving or discharging

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 any child or a person who has a developmental disability, shall stop
2 such vehicle not less than 25 feet from such school bus and keep
3 such vehicle stationary until such child or person who has a
4 developmental disability has entered said bus or has alighted and
5 reached the side of such highway and until a flashing red light is no
6 longer exhibited by the bus; provided, such bus is designated as a
7 school bus by one sign on the front and one sign on the rear, with
8 each letter on such signs at least four inches in height.

9 On highways having dual or multiple roadways separated by
10 safety islands or physical traffic separation installations, the driver
11 of a vehicle overtaking a school bus, which has stopped for the
12 purpose of receiving or discharging any child or any person who
13 has a developmental disability, shall stop such vehicle not less than
14 25 feet from such school bus and keep such vehicle stationary until
15 such child or person who has a developmental disability has entered
16 said bus or has alighted and reached the side of the highway and
17 until a flashing red light is no longer exhibited by the bus.

18 On highways having dual or multiple roadways separated by
19 safety islands or physical traffic separation installations, the driver
20 of a vehicle on another roadway approaching a school bus, which
21 has stopped for the purpose of receiving or discharging any child, or
22 any person who has a developmental disability shall reduce the
23 speed of his vehicle to not more than 10 miles per hour and shall
24 not resume normal speed until the vehicle has passed the bus and
25 has passed any child who may have alighted therefrom or be about
26 to enter said bus.

27 For purposes of this section, "highway" means the entire width
28 between the boundary lines of every way whether publicly or
29 privately maintained when any part thereof is open to the public for
30 purposes of vehicular travel.

31 Whenever a school bus is parked at the curb for the purpose of
32 receiving children directly from a school or a summer day camp or
33 any school connected activity or discharging children to enter a
34 school, or a summer day camp or any school connected activity,
35 which is located on the same side of the street as that on which the
36 bus is parked, drivers of vehicles shall be permitted to pass said bus
37 without stopping, but at a speed not in excess of 10 miles per hour.

38 Whenever a school bus is parked at the curb for the purpose of
39 receiving or discharging a person who has a developmental
40 disability on the same side of the street as that on which the bus is
41 parked, drivers of vehicles shall be permitted to pass the bus
42 without stopping, but at a speed not in excess of 10 miles per hour.

43 The driver of a bus which is being used **【solely】** for the
44 transportation of children to or from school or a summer day camp
45 or any school connected activity, or for the transportation of a
46 person who has a developmental disability shall continue to exhibit

1 a flashing red light and shall not start his bus until every child who
2 may have alighted therefrom shall have reached a place of safety.

3 Any person who shall violate any provision of this act shall be
4 subject to (1) a fine of not less than \$100.00, (2) imprisonment for
5 not more than 15 days or community service for 15 days in such
6 form and on such terms as the court shall deem appropriate, (3) or
7 both for the first offense, and a fine not less than \$250.00,
8 imprisonment for not more than 15 days, or both for each
9 subsequent offense. The penalties shall be enforced and recovered
10 pursuant to the provisions of chapter 5 of Title 39 of the Revised
11 Statutes. There shall be a rebuttable presumption that the registered
12 owner of the vehicle which was involved in the violation of this
13 section was the person who committed the act. Any person who
14 suppresses, by way of concealment or destruction, any evidence of a
15 violation of this section or who suppresses the identity of the
16 violator shall be subject to a fine of \$100.

17 The ~~【Director of the Division of】~~ Chief Administrator of the
18 Motor 【Vehicles】 Vehicle Commission may also revoke the license
19 to drive a motor vehicle of any person who shall have been guilty of
20 such willful violation of any of the provisions of this act as shall, in
21 the discretion of the ~~【director】~~ chief administrator, justify such
22 revocation, but the ~~【director】~~ chief administrator shall, at all times,
23 have power to validate such a license which has been revoked, or to
24 grant a new license to any person whose license to drive a motor
25 vehicle shall have been revoked pursuant to this act.

26 (cf: P.L.2000, c.85, s.2)

27

28 3. This act shall take effect immediately.

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STATEMENT

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33 Under current law, school buses are required to exhibit flashing
34 red lights when the bus has stopped for the purpose of receiving or
35 discharging any school child. Drivers of vehicles approaching or
36 overtaking the school bus are required to stop at least 25 feet from a
37 school bus that has activated its flashing lights. The law provides
38 further that the driver of the school bus is not permitted to start the
39 bus or discontinue the flashing red lights until every child who may
40 have alighted from the bus has reached a place of safety. This bill
41 would ensure that these provisions of law would also apply when
42 the school bus is being used to transport persons who have
43 developmental disabilities.

44 The bill also includes a provision that would permit a driver of a
45 vehicle to pass a school bus carrying a person with a developmental
46 disability at a speed of no more than 10 miles per hour, if the bus is
47 parked at the curb for the purpose of receiving or discharging the

S618 SWEENEY, ALLEN

1 person on the same side of the street as that on which the bus is
2 parked. This provision is similar to one applicable in the case of a
3 parked school bus receiving or discharging students.
4 Drivers who pass a school bus transporting persons with
5 developmental disabilities in a manner that violates the law will be
6 subject to the same penalties that apply currently to drivers passing
7 school buses transporting students to and from school. Those
8 penalties are as follows: (1) a fine of not less than \$100, (2)
9 imprisonment for not more than 15 days or community service for
10 15 days in such form and on such terms as the court shall deem
11 appropriate, (3) or both for the first offense, and a fine not less than
12 \$250, imprisonment for not more than 15 days, or both for each
13 subsequent offense.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 618

STATE OF NEW JERSEY

DATED: JANUARY 23, 2012

The Senate Education Committee favorably reports Senate Bill No. 618.

Under current law, school buses are required to exhibit flashing red lights when the bus has stopped for the purpose of receiving or discharging any school child. Drivers of vehicles approaching or overtaking the school bus are required to stop at least 25 feet from a school bus that has activated its flashing lights. The law provides further that the driver of the school bus is not permitted to start the bus or discontinue the flashing red lights until every child who may have alighted from the bus has reached a place of safety. This bill would ensure that these provisions of law would also apply when the school bus is being used to transport persons who have developmental disabilities.

The bill also includes a provision that would permit a driver of a vehicle to pass a school bus carrying a person with a developmental disability at a speed of no more than 10 miles per hour, if the bus is parked at the curb for the purpose of receiving or discharging the person on the same side of the street as that on which the bus is parked. This provision is similar to one applicable in the case of a parked school bus receiving or discharging students.

Drivers who pass a school bus transporting persons with developmental disabilities in a manner that violates the law will be subject to the same penalties that apply currently to drivers passing school buses transporting students to and from school. Those penalties are as follows: (1) a fine of not less than \$100, (2) imprisonment for not more than 15 days or community service for 15 days in such form and on such terms as the court shall deem appropriate, (3) or both for the first offense, and a fine not less than \$250, imprisonment for not more than 15 days, or both for each subsequent offense.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 618

STATE OF NEW JERSEY

DATED: JUNE 7, 2012

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 618.

As amended and reported by the committee, Senate Bill No. 618 requires the operators of school buses to activate flashing lights and other safety equipment when a school bus is stopped for the purpose of discharging or receiving a person who has a developmental disability.

Under current law, school buses are required to exhibit flashing red lights when the bus has stopped for the purpose of receiving or discharging any school child. Drivers of vehicles approaching or overtaking the school bus are required to stop at least 25 feet from a school bus that has activated its flashing lights. The law provides further that the driver of the school bus is not permitted to start the bus or discontinue the flashing red lights until every child who may have alighted from the bus has reached a place of safety. Under the provisions of this bill, these requirements would also apply to school buses that are being used to transport persons who have developmental disabilities.

The bill also includes a provision that would permit a driver of a vehicle to pass a school bus carrying a person with a developmental disability at a speed of no more than 10 miles per hour, if the bus is parked at the curb for the purpose of receiving or discharging the person on the same side of the street as that on which the bus is parked. This provision is similar to one applicable in the case of a parked school bus receiving or discharging students.

Drivers who pass a school bus transporting persons with developmental disabilities in a manner that violates the law will be subject to the same penalties that apply currently to drivers passing school buses transporting students to and from school. Those penalties are as follows: (1) a fine of not less than \$100, (2) imprisonment for not more than 15 days or community service for 15 days in such form and on such terms as the court shall deem appropriate, (3) or both for the first offense, and a fine not less than \$250, imprisonment for not more than 15 days, or both for each subsequent offense.

As reported by the committee, this bill is identical to Assembly Bill No. 925, as amended and reported by the committee on this same date.

ASSEMBLY, No. 925

STATE OF NEW JERSEY

215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblywoman CELESTE M. RILEY
District 3 (Cumberland, Gloucester and Salem)
Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblymen Milam, Albano and Coutinho

SYNOPSIS

Requires school buses transporting certain disabled persons to use flashing lights and establishes penalties for drivers who fail to yield.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/16/2012)

1 AN ACT concerning operation of school buses when transporting
2 certain disabled persons and amending P.L.1965, c.119 and
3 P.L.1942, c.19.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 1 of P.L.1965, c.119 (C.39:3B-1) is amended to read
9 as follows:

10 1. Every bus when being used to transport children to and from
11 school pursuant to **[sections]** R.S.18:14-8 to 18:14-12, inclusive,
12 **[of the Revised Statutes]** shall be equipped with electric
13 identification and warning lamps which, when such bus has
14 stopped for the purpose of receiving or discharging any school
15 child, will exhibit a flashing red light plainly visible at such a
16 distance as will enable the driver of a vehicle approaching or
17 overtaking the bus to see the red light in sufficient time to bring the
18 same to a stop within 10 feet of the bus. Such lamps shall meet the
19 requirements prescribed by the State Board of Education, which
20 requirements shall not be inconsistent with the provisions of this
21 Title or any rule or regulation made pursuant thereto.

22 If a vehicle is equipped with electric identification and warning
23 lamps that are required under this act and is stopped on the highway
24 for the purpose of receiving or discharging a person who has a
25 developmental disability, the driver of the vehicle shall activate the
26 flashing lights and any other equipment, including a crossing arm,
27 installed on the vehicle for the safety of passengers crossing a
28 highway.

29 Nothing contained herein shall be construed to apply to any
30 motorbus when carrying passengers for hire over any street or road
31 and accepting and discharging indiscriminately such persons as may
32 offer themselves for transportation either at the termini or points
33 along the route on which it is being operated.

34 (cf: P.L.1965, c. 119, s. 1)
35

36 2. Section 1 of P.L.1942, c.192 (C.39:4-128.1) is amended to
37 read as follows:

38 1. On highways having roadways not divided by safety islands
39 or physical traffic separation installations, the driver of a vehicle
40 approaching or overtaking a bus, which is being used **[solely]** for
41 the transportation of children to or from school or a summer day
42 camp or any school connected activity, or which is being used for
43 the transportation of a person who has a developmental disability,
44 and which has stopped for the purpose of receiving or discharging
45 any child or a person who has a developmental disability, shall stop

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 such vehicle not less than 25 feet from such school bus and keep
2 such vehicle stationary until such child or person who has a
3 developmental disability has entered said bus or has alighted and
4 reached the side of such highway and until a flashing red light is no
5 longer exhibited by the bus; provided, such bus is designated as a
6 school bus by one sign on the front and one sign on the rear, with
7 each letter on such signs at least four inches in height.

8 On highways having dual or multiple roadways separated by
9 safety islands or physical traffic separation installations, the driver
10 of a vehicle overtaking a school bus, which has stopped for the
11 purpose of receiving or discharging any child or any person who
12 has a developmental disability, shall stop such vehicle not less than
13 25 feet from such school bus and keep such vehicle stationary until
14 such child or person who has a developmental disability has entered
15 said bus or has alighted and reached the side of the highway and
16 until a flashing red light is no longer exhibited by the bus.

17 On highways having dual or multiple roadways separated by
18 safety islands or physical traffic separation installations, the driver
19 of a vehicle on another roadway approaching a school bus, which
20 has stopped for the purpose of receiving or discharging any child, or
21 any person who has a developmental disability shall reduce the
22 speed of his vehicle to not more than 10 miles per hour and shall
23 not resume normal speed until the vehicle has passed the bus and
24 has passed any child who may have alighted therefrom or be about
25 to enter said bus.

26 For purposes of this section, "highway" means the entire width
27 between the boundary lines of every way whether publicly or
28 privately maintained when any part thereof is open to the public for
29 purposes of vehicular travel.

30 Whenever a school bus is parked at the curb for the purpose of
31 receiving children directly from a school or a summer day camp or
32 any school connected activity or discharging children to enter a
33 school, or a summer day camp or any school connected activity,
34 which is located on the same side of the street as that on which the
35 bus is parked, drivers of vehicles shall be permitted to pass said bus
36 without stopping, but at a speed not in excess of 10 miles per hour.

37 Whenever a school bus is parked at the curb for the purpose of
38 receiving a person who has a developmental disability on the same
39 side of the street as that on which the bus is parked, drivers of
40 vehicles shall be permitted to pass said bus without stopping, but at
41 a speed not in excess of 10 miles per hour.

42 The driver of a bus which is being used **[solely]** for the
43 transportation of children to or from school or a summer day camp
44 or any school connected activity, or for the transportation of a
45 person who has a developmental disability shall continue to exhibit
46 a flashing red light and shall not start his bus until every child who
47 may have alighted therefrom shall have reached a place of safety.

1 Any person who shall violate any provision of this act shall be
2 subject to (1) a fine of not less than \$100.00, (2) imprisonment for
3 not more than 15 days or community service for 15 days in such
4 form and on such terms as the court shall deem appropriate, (3) or
5 both for the first offense, and a fine not less than \$250.00,
6 imprisonment for not more than 15 days, or both for each
7 subsequent offense. The penalties shall be enforced and recovered
8 pursuant to the provisions of chapter 5 of Title 39 of the Revised
9 Statutes. There shall be a rebuttable presumption that the registered
10 owner of the vehicle which was involved in the violation of this
11 section was the person who committed the act. Any person who
12 suppresses, by way of concealment or destruction, any evidence of a
13 violation of this section or who suppresses the identity of the
14 violator shall be subject to a fine of \$100.

15 The ~~Director of the Division of~~ Chief Administrator of the
16 ~~Motor Vehicles~~ Vehicle Commission may also revoke the license
17 to drive a motor vehicle of any person who shall have been guilty of
18 such willful violation of any of the provisions of this act as shall, in
19 the discretion of the ~~director~~ chief administrator, justify such
20 revocation, but the ~~director~~ chief administrator shall, at all times,
21 have power to validate such a license which has been revoked, or to
22 grant a new license to any person whose license to drive a motor
23 vehicle shall have been revoked pursuant to this act.

24 (cf: P.L.2000, c.85, s.2)

25

26 3. This act shall take effect immediately.

27

28

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STATEMENT

30

31 This bill would require the operators of school buses to activate
32 flashing lights and other safety equipment when a school bus is
33 stopped on a highway for the purpose of discharging or receiving a
34 person who has a developmental disability. Other motorists would
35 be required to stop their vehicles at a distance of at least 25 feet
36 from a school bus that has activated its flashing lights pursuant to
37 the provisions of the bill. The flashing lights would be activated
38 while the bus is stopped to discharge or receive a person and remain
39 activated until a child or person who has a developmental disability
40 has reached a place of safety.

41 The bill would allow for vehicles moving at a maximum speed of
42 10 miles per hour to pass a school bus, if the bus is parked on the
43 side of the highway on which it is discharging or receiving
44 passengers.

45 A person who violates a provision of this bill would be subject to
46 the following penalties: (1) a fine of not less than \$100, (2)
47 imprisonment for not more than 15 days or community service for

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1 15 days in such form and on such terms as the court shall deem
2 appropriate, (3) or both for the first offense, and a fine not less than
3 \$250, imprisonment for not more than 15 days, or both for each
4 subsequent offense.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 925

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 2012

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bills No. 925.

As amended and reported by the committee, Assembly Bill No. 925 requires the operators of school buses to activate flashing lights and other safety equipment when a school bus is stopped for the purpose of discharging or receiving a person who has a developmental disability.

Under current law, school buses are required to exhibit flashing red lights when the bus has stopped for the purpose of receiving or discharging any school child. Drivers of vehicles approaching or overtaking the school bus are required to stop at least 25 feet from a school bus that has activated its flashing lights. The law provides further that the driver of the school bus is not permitted to start the bus or discontinue the flashing red lights until every child who may have alighted from the bus has reached a place of safety. As amended, this bill requires that these provisions also apply to school buses that are being used to transport persons who have developmental disabilities.

The bill also includes a provision that would permit a driver of a vehicle to pass a school bus carrying a person with a developmental disability at a speed of no more than 10 miles per hour, if the bus is parked at the curb for the purpose of receiving or discharging the person on the same side of the street as that on which the bus is parked. This provision is similar to one applicable in the case of a parked school bus receiving or discharging students.

Drivers who pass a school bus transporting persons with developmental disabilities in a manner that violates the law will be subject to the same penalties that apply currently to drivers passing school buses transporting students to and from school. Those penalties are as follows: (1) a fine of not less than \$100, (2) imprisonment for not more than 15 days or community service for 15 days in such form and on such terms as the court shall deem appropriate, (3) or both for the first offense, and a fine not less than \$250, imprisonment for not more than 15 days, or both for each subsequent offense.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, this bill is identical to Senate Bill No. 618, also reported by the committee on this same date.

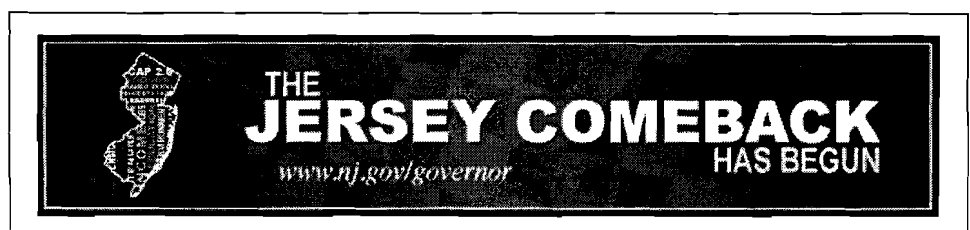
COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) make a technical clarification to a statutory reference;
- (2) clarify that the “Motor Vehicle Commission” prescribes requirements for warning lamps on school buses, rather than the “State Board of Education;”
- (3) clarify that the bill applies to “buses” rather than “vehicles;”
- (4) clarify that provisions of the bill apply when the bus is “stopped” rather than when the bus is “stopped on the highway;”
- (5) clarify that a bus has a “crossing control arm” rather than a “control arm;”
- (6) clarify that the bus driver is required to activate the flashing lights and other safety equipment for the “safety of passengers” rather than for the “safety of passengers crossing a highway;”
- (7) clarify that certain provisions of the bill apply to a school bus that is parked at the curb for the purpose of “receiving or discharging” certain persons, rather than “receiving” certain persons;
- (8) make other technical amendments.

Acting Governor Kim Guadagno Signs Legislation Increasing Transportation Safety for Individuals with Developmental Disabilities

July 12, 2012 Tags: [Transportation](#)



New Law Protects Persons with Disabilities as They Travel on School Buses

Trenton, NJ – Taking another important step in the Christie Administration’s commitment to support individuals with developmental disabilities, Acting Governor Kim Guadagno today signed into law legislation that secures school bus safety precautions for adult students with developmental disabilities. The legislation, S-618, requires school bus drivers to use flashing red lights when picking up or discharging passengers with disabilities and requires drivers of vehicles approaching or overtaking a school bus to stop at least 25 feet when the bus that has activated its flashing lights. The legislation also establishes penalties for violators, consistent with protections and violations currently in effect for child passengers on school buses.

“By signing this bill into law, we are making a commonsense and important step to provide adult students with development disabilities with the same protections currently in place for child passengers. We are not only increasing the safety factor for persons with disabilities, but also making safety indicators more consistent for motorists who encounter school buses in their daily travels,” said Acting Governor Guadagno. “Motorists will know without a doubt when they see a school bus come to a stop and lights are flashing, they must stop their vehicles for passengers who are getting on or off the bus.”

“As the father of an adult daughter with a developmental disability, I know the challenges these individuals face every day. It is our responsibility to ensure that we are protecting them from harm whenever and wherever possible,” said Senate President Steve Sweeney. “This is really just a commonsense law that will require school bus drivers and motorists to use the same precautionary measures that are used when a school bus is transporting school children.”

The new law prohibits the driver of the school bus from starting the bus or discontinuing the flashing red lights until every person with a developmental disability who exited the bus has reached a place of safety and extends penalties for failing to comply with the law. Motorists who pass a school bus stopped with flashing red lights and carrying persons with disabilities face a fine of no less than \$100, could be subject to up to 15 days in jail or could face 15 days of community service. Violators will also receive 5 points on their drivers license.

“The New Jersey Council on Developmental Disabilities supports the passing of this important piece of legislation, as it recognizes that safety and accessibility in transportation are key elements to meaningful community inclusion for people with developmental disabilities in New Jersey,” said Executive Director Alison Lozano. “With this bill, the Governor and Legislature acknowledge the fact that we must consider all citizens in the planning and implementation of public programs and services.”

Primary sponsors of the bill are Senator Steve Sweeney (D-Salem, Cumberland, Gloucester), Senator Diane Allen (R-Burlington, Camden), Assemblywoman Celeste Riley (D-Salem, Cumberland, Gloucester) and Assemblyman John Burzichelli (D-Salem, Cumberland, Gloucester).

The Christie Administration is committed to helping New Jerseyans with developmental disabilities or mental illness lead richer lives. The Fiscal Year 2013 Budget furthers that commitment through enhanced funding provided to support community placements and additional programs and services. In addition, a realignment of programs for children with disabilities or in need of behavioral health services will occur in order to enable the Department of Children and Families (DCF) to provide family-oriented support services that care for the whole child.

Recognizing The Unique Needs Of Individuals With Developmental Disabilities

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July 12, 2012 Bus Safety

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This year's budget reaffirms the Christie Administration's commitment to a fundamental rethinking of how individuals with developmental disabilities receive services. Governor Christie has long spoken of the state's moral imperative to recognize the individuality and unique needs of every New Jerseyan with a developmental disability.

Rethinking How To Serve Children With Developmental Disabilities

The creation of the Division of Child Integrated System of Care Services in the DCF will finally address the holistic needs and concerns of families with children with developmental disabilities in one place. The reorganization is designed to ensure that families of people with developmental disabilities have access to every possible support that State government provides. The new division will become the departmental "home" for children with multiple needs, bringing together programs now scattered throughout State government. This will allow for a more family-centric approach.

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