

39:3B-5.1 to 39:3B-5.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3B-5.1 to 39:3B-5.3 (School buses - certain - allow use for 12 years)

LAWS OF: 1983 CHAPTER: 206

Bill No: A258

Sponsor(s): Haytaian and others

Date Introduced: Pre-filed

Committee: Assembly: Education

Senate: _____

Amended during passage: Yes // Amendments during passage denoted by asterisks. Substituted for S453 (OCR, original and Senate committee statement - attached)

Date of Passage: Assembly: April 11, 1983

Senate: April 15, 1983

Date of Approval: June 10, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: Yes //

Following were printed:

Reports: /// No

Hearings: /// No

Regulations referred to in statement:

49 C.F.R. 571.221, and 49 C.F.R. 571.222, 49 C.F.R. 571.217, 49 C.F.R. 571.301

49 C.F.R. 571.105, C.F.R. 571.207

Pub. L. 89-563.

6-10-83

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 258

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Assemblymen HAYTAIAN, LITTELL, WEIDEL, Assemblywoman
 MUHLER, Assemblymen SMITH and KAVANAUGH

A SUPPLEMENT to "An act concerning public school buses, amend-
 ing and supplementing Title 39 of the Revised Statutes, and
 repealing 'An act concerning public school buses, and supple-
 menting chapter 14 of Title 18 of the Revised Statutes,' approved
 June 12, 1948 (P. L. 1948, c. 133)," approved June 21, 1965
 (P. L. 1965, c. 119, C. 39:3B-1 et seq.).

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

1 ***[1. Notwithstanding the provisions of any administrative rule to**
 2 **the contrary, any school bus, other than one of the transit type,**
 3 **whose gross vehicle weight exceeds 25,000 pounds and which meets**
 4 **inspection requirements may be utilized for pupil transportation**
 5 **until June 30 of the twelfth year of service.]***

1 ***[2. This act shall take effect immediately.]***

1 **1. School buses, under the jurisdiction of the public schools and*
 2 *manufactured prior to April 1, 1977, other than those of the transit*
 3 *type whose gross vehicle weight (G.V.W.) exceeds 25,000 pounds,*
 4 *shall not be used for pupil transportation purposes beyond the*
 5 *end of the tenth year from the date of manufacture, as noted on*
 6 *the vehicle registration, or at the end of the school year in which*
 7 *that date falls, whichever is later. School buses manufactured on*
 8 *or after April 1, 1977, other than those of the transit type whose*
 9 *gross vehicle weight (G.V.W.) exceeds 25,000 pounds, shall not be*
 10 *used for pupil transportation purposes beyond the end of the*

**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:

***—Assembly committee amendments adopted February 28, 1983.**

11 *twelfth year from the date of manufacture, as noted on the vehicle*
12 *registration, or at the end of the school year in which that date*
13 *falls, whichever is later.*

1 2. *School buses of the transit type whose gross vehicle weight*
2 *(G.V.W.) exceeds 25,000 pounds shall not be used for pupil trans-*
3 *portation purposes beyond the end of the twentieth year from the*
4 *date of manufacture, as noted on the vehicle registration, or at the*
5 *end of the school year in which that date falls, whichever is later.*

1 3. *School buses manufactured on or after April 1, 1977, when*
2 *used beyond the tenth year, other than the transit type whose gross*
3 *vehicle weight (G.V.W.) exceeds 25,000 pounds, shall have an*
4 *annual in-depth inspection by the Division of Motor Vehicles prior*
5 *to the beginning of the school year.*

1 4. *This act shall take effect July 1, 1983.**

ASSEMBLY, No. 258

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Assemblymen HAYTAIAN, LITTELL, WEIDEL, Assemblywoman
MUHLER, Assemblymen SMITH and KAVANAUGH

A SUPPLEMENT to "An act concerning public school buses, amend-
ing and supplementing Title 39 of the Revised Statutes, and
repealing 'An act concerning public school buses, and supple-
menting chapter 14 of Title 18 of the Revised Statutes,' approved
June 12, 1948 (P. L. 1948, c. 133)," approved June 21, 1965
(P. L. 1965, c. 119, C. 39:3B-1 et seq.).

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

1 1. Notwithstanding the provisions of any administrative rule to
2 the contrary, any school bus, other than one of the transit type,
3 whose gross vehicle weight exceeds 25,000 pounds and which meets
4 inspection requirements may be utilized for pupil transportation
5 until June 30 of the twelfth year of service.

1 2. This act shall take effect immediately.

STATEMENT

This bill would permit continued use of the described type of
school bus for 12 years. Rules of the Department of Education
(N. J. Administrative Code 6:21-1.4) require retirement of this
type of bus after 10 years from the year of manufacture.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 258

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 1983

PROVISIONS:

This bill as amended, would permit any school bus manufactured after April 1, 1977, other than a transit type that is heavier than 25,000 pounds to be used for 12 years if it meets the requirements of an in-depth inspection of the New Jersey Division of Motor Vehicles.

BACKGROUND:

Currently buses are retired after 10 years of service or after they reach 100,000 miles. There are two issues associated with this proposed change in the use of school buses. First, it is being proposed that the cost effectiveness of the 100,000 mile—10 year limit be reviewed, especially in light of the increased use of the diesel powered school bus. There are two features of the diesel engine that make them more economical than the gasoline engine. First they use less fuel. Prior to the 82-83 school year, to promote the conservation of fuel, the Department of Education provided fiscal incentives for districts that chose to purchase diesel school buses. (Beginning in 82-83 all purchases of school buses go out to bid). Second, the effective life of a diesel engine is twice that of gasoline engines. The life of a diesel engine often extends to 200,000 miles of use, while the life of a gasoline engine is usually between 90,000 and 100,000 miles of use.

The only feature of the diesel engine that conflicts with its cost effectiveness is the initial cost of purchasing a diesel engine. Diesel engine school buses cost between \$4,500.00 to \$5,000.00 more than the gasoline engine equivalent. For this reason it is being proposed that the life of school buses be extended to 12 years.

The second issue associated with this bill is that of safety. There have been two federal efforts to improve the safety of school buses. In 1973 the federal government set standards for the padding of seats and the maintenance of buses. In 1977 major structural changes were required in school buses. New standards were promulgated for six different structural features of school buses manufactured after 1977.

1. Improved standards for joint strength and seam strength.
2. Improved emergency exit requirements.
3. The compartmentalization of seating—i.e. seats closer together with more padding and high seat backs.
4. Greater protection for fuel tank and fuel lines to protect them from breaking under certain stress and crash conditions.
5. Requirement that all buses have hydraulic brake system with special safety features.
6. Improved roll-over protection through strengthening the body structure and internal framing.

It is the intention of the Assembly Education Committee that any school district that can implement this act without additional funding shall do so immediately.

[OFFICIAL COPY REPRINT]

SENATE, No. 453

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senator DUMONT

[AN ACT concerning the retirement from service of school buses and supplementing Title 39 of the Revised Statutes.]

A Supplement to "An Act concerning public school buses, amending and supplementing Title 39 of the Revised Statutes, and repealing 'An Act concerning public school buses, and supplementing chapter 14 of Title 18 of the Revised Statutes,' approved June 12, 1948 (P. L. 1948, c. 133)," approved June 21, 1965 (P. L. 1965, c. 119, C. 39:3B-1 et seq.).

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

1 1. School buses **under the jurisdiction of the public schools and*
2 *manufactured prior to April 1, 1977**, other than those of the transit
3 type whose gross vehicle weight (G.V.W.) exceeds 25,000 *[lbs.,
4 that are equipped with interior padding as required by the State
5 Board of Education in 1973, may not be used beyond the end of the
6 fifteenth year from the date of manufacture as noted on the vehicle
7 registration or after the vehicle has accumulated 150,000 miles]*
8 **pounds, shall not be used for pupil transportation purposes beyond*
9 *the end of the tenth year from the date of manufacture, as noted on*
10 *the vehicle registration, or at the end of the school year in which*
11 *that date falls, whichever is later. School buses manufactured on or*
12 *after April 1, 1977, other than those of the transit type whose gross*
13 *vehicle weight (G.V.W.) exceeds 25,000 pounds, shall not be used*
14 *for pupil transportation purposes beyond the end of the twelfth*
15 *year from the date of manufacture, as noted on the vehicle of regis-*
16 *tration, or at the end of the school year in which that date falls,*
17 *whichever is later*.*

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 February 24, 1983.

1 2. School buses of *the* transit **types** *type* whose gross
2 vehicle weight (G.V.W.) exceeds 25,000 **lbs.** *pounds*, shall
3 not be **utilized** *used* for pupil transportation purposes be-
4 yond the end of the twentieth year from the date of manufacture*,
5 ~~as noted on the vehicle registration*~~, *or at the end of the school*
6 *year in which that date falls, whichever is later**.

1 3. **On all vehicles beyond the age of 10 years** *School buses*
2 *manufactured on or after April 1, 1977, when used beyond the tenth*
3 *year, other than the transit type whose gross vehicle weight*
4 *(G.V.W.) exceeds 25,000 pounds, shall have* an annual in-depth
5 inspection **shall be performed** by **the Highway Patrol Bu-**
6 **reau of** the **New Jersey State Police** *Division of Motor*
7 *Vehicles* prior to the beginning of the school year.

1 4. This act shall take effect **immediately** *July 1, 1983*.

SENATE, No. 453

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senator DUMONT

AN ACT concerning the retirement from service of school buses
and supplementing Title 39 of the Revised Statutes.

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

1 1. School buses, other than those of the transit type whose gross
2 vehicle weight (G.V.W.) exceeds 25,000 lbs., that are equipped
3 with interior padding as required by the State Board of Education
4 in 1973, may not be used beyond the end of the fifteenth year from
5 the date of manufacture as noted on the vehicle registration or
6 after the vehicle has accumulated 150,000 miles.

1 2. School buses of transit types whose gross vehicle weight
2 (G.V.W.) exceeds 25,000 lbs., shall not be utilized for pupil trans-
3 portation purposes beyond the end of the twentieth year from the
4 date of manufacture as noted on the vehicle registration.

1 3. On all vehicles beyond the age of 10 years an annual in-depth
2 inspection shall be performed by the Highway Patrol Bureau of
3 the New Jersey State Police prior to the beginning of the school
4 year.

1 4. This act shall take effect immediately.

STATEMENT

This bill will permit school buses that are equipped with padded interiors to remain in service for either 15 years or until they have accumulated 150,000 miles.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

SENATE, No. 453

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 1983

The committee amended this bill in order to make it identical to the proposed committee substitute for Assembly Bill No. 258 (Haytaian) in the Assembly Education Committee. The amendments provide that school buses under the jurisdiction of the public schools manufactured prior to April 1, 1977, other than those exceeding 25,000 pounds, shall not be used beyond 10 years. School buses manufactured after April 1, 1977, other than those exceeding 25,000 pounds, shall not be used beyond 12 years. School buses exceeding 25,000 pounds shall not be used beyond 20 years.

School buses manufactured on or after April 1, 1977, other than those exceeding 25,000 pounds, shall receive an annual in-depth inspection by the Division of Motor Vehicles before the beginning of the school year, if used beyond the tenth year. In all cases the end of the school year shall be the final date, if the period of time specified above falls within the school year. The amended bill will take effect on July 1, 1983.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

FRIDAY, JUNE 10, 1983

Governor Thomas H. Kean has signed the following bills:

A-258, sponsored by Assemblyman Garabed Haytaian, R-Warren, which permits the use of school buses for 12 years if they were built after April 1, 1977, and undergo annual inspections when they reach ten years of age. Prior to enactment of this law, school buses were limited to ten years of use for safety reasons. However, improved federal safety standards for school buses went into effect in April, 1977. Combined with this factor is the increasing use of diesel engines, which have a longer life span, but are more expensive. This bill will allow for two more years of service from school buses, provided that after the tenth year they undergo annual inspection by the Division of Motor Vehicles.

A-3185, sponsored by Assemblyman Frank M. Pelly, which exempts from the Local Public Contracts Law, non-profit historical societies which are under contract to operate restaurants at historical preservation sites.

A-1763, sponsored by Assemblyman Harry A. McEnroe, D-Essex, which permits municipalities to hire collection agencies to collect parking violation fines.

A-1618, sponsored by Assemblyman Robert C. Janiszewski, D-Hudson, which expands the jurisdiction of the Jersey City Housing Court.

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