

48:4-2.18; 48:4-2.19

LEGISLATIVE HISTORY CHECKLIST

MSA 48:4-2.18, 48:4-2.19 (Regulation of autobuses by municipalities)

LAWS OF 1977 CHAPTER 16

Bill No. A1958

Sponsor(s) Gallo and others

Date Introduced May 24, 1976

Committee: Assembly Transportation and Communciations

Senate Transportation and Communciations

Amended during passage ~~Yes~~ No

Date of Passage: Assembly June 21, 1976

Senate Nov. 8, 1976

Date of approval Feb. 10, 1977

Following statements are attached if available:

Sponsor statement Yes ~~Yes~~

Committee Statement: Assembly Yes ~~Yes~~

Senate ~~Yes~~ No

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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ASSEMBLY, No. 1958

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1976

By Assemblymen T. GALLO, JACKMAN, ESPOSITO, BORNHEIMER, PATERO, CODEY, LEFANTE, CALI, EWING, GREGORIO, McMANIMON, DOYLE, NEWMAN, ORECHIO, PELLECCIA, PERKINS, KOZLOSKI, VAN WAGNER, Assemblywoman MISZKIEWICZ, Assemblymen KARCHER, ADUBATO, YATES, FLYNN, OTLOWSKI and HOLLENBECK

Referred to Committee on Transportation and Communications

AN Act permitting municipalities to enact ordinances providing for a limited regulation of autobuses operating wholly within the municipality, and supplementing chapter 4 of Title 48 of the Revised Statutes.

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

1 1. A municipality may, pursuant to standards established by the
2 public utilities commission, enact ordinances regulating the
3 scheduling, safety and fitness for passenger use of autobuses
4 operating wholly and exclusively within the limits of the munic-
5 ipality.

1 2. Ordinances enacted pursuant to section 1 of this act may pro-
2 vide for fines of up to \$100.00 for each violation of their pro-
3 visions, but may not prohibit the operation of any autobus within
4 the municipality unless the continued operating of said autobus
5 would constitute a danger to the health, safety and well-being of
6 the general public.

7 The owner of any autobus, the operation of which has been pro-
8 hibited by a municipality pursuant to this act, may appeal the
9 decision of the municipality to the Board of Public Utility Com-
10 misioners.

1 3. This act shall take effect 60 days after its enactment.

STATEMENT

This bill returns to the municipalities, if they choose, some degree of regulation over buses operating wholly within a municipal boundary. The Board of Public Utility Commissioners would retain ultimate control in order to assure uniformity. The reason for the return of local control over local bus operation is simply a matter of enforcement. The local authorities are on the scene every day and can best provide protection for their residents. This is especially true in minor but important matters, such as the cleanliness of the buses and maintaining a proper running schedule.

A 1958 (1977)

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STATEMENT

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ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1958

STATE OF NEW JERSEY

DATED: JUNE 14, 1976

This bill returns to the municipalities, if they choose, some degree of regulation over buses operating wholly within a municipal boundary. The Board of Public Utility Commissioners would retain ultimate control of such local bus operations in order to assure uniformity.

This bill provides that a municipality may, pursuant to standards established by the board, enact ordinances regulating the scheduling, safety and fitness for passenger use of buses operating wholly and exclusively within the limits of the municipality. A municipality may enact an ordinance providing a fine of up to \$100.00 for each violation of provisions regulating of such scheduling, safety and fitness for passenger use of such buses.

The bill also provides that a municipality may not prohibit the operation of any bus within the municipality unless the continued operation of said bus would constitute a danger to the health, safety and well-being of the general public. Furthermore, the bill states that any owner of a bus who has been prohibited from operating a route by a municipality pursuant to this act, may appeal the decision of the municipality to the board.

The purpose of this bill is to improve enforcement of those provisions designed to promote the interests and safety of bus passengers by providing a degree of local control over local bus operation. The local authorities are on the scene every day and can best provide protection for their residents. This is especially true in minor but important matters, such as the cleanliness of the buses and maintenance of a proper running schedule.

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1958

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 1976

This bill would enable a municipality to enact ordinances regulating the scheduling, safety and fitness for passenger use of buses operating wholly and exclusively within its limits.

The Department of Public Utilities opposes this bill, arguing that it: "would reverse the policy of the Legislature established in 1973 when N. J. S. A. 48:4-3 was amended to eliminate the need for municipal consents"; could significantly disrupt intermunicipal routes and schedules"; and "injects municipalities into areas which were solely the jurisdiction of the State". A representative for the sponsor of the bill spoke for the legislation. He argued that the bill was needed to correct a situation in Hoboken where residents have complained about the operation of certain bus lines. The mayor and city council have no authority to remedy the situation. This bill would give them such authority. He also noted that municipalities would not be obligated to enact such ordinances and that the Board of Public Utility Commissioners would have the authority to establish standards, thus assuring uniformity of regulation.

The committee decided that this legislation was necessary and released it favorably.
