

27:25-8

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2016 **CHAPTER:** 52
NJSA: 27:25-8 (Requires NJT to hold public hearing and provide notice prior to any curtailment of certain bus and rail services.)
BILL NO: A227 (Substituted for S331)
SPONSOR(S) DeAngelo and others
DATE INTRODUCED: January 27, 2016
COMMITTEE: **ASSEMBLY:** Transportation and Independent Authorities
SENATE: Transportation
AMENDED DURING PASSAGE: Yes
DATE OF PASSAGE: **ASSEMBLY:** April 7, 2016
SENATE: August 1, 2016
DATE OF APPROVAL: September 14, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third Reprint enacted)

A227

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: Yes

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

FLOOR AMENDMENT STATEMENT:	Yes	February 28, 2016 March 14, 2016
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LEGISLATIVE FISCAL ESTIMATE:	No
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S331

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes

FLOOR AMENDMENT STATEMENT:	No
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LEGISLATIVE FISCAL ESTIMATE:	No
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(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"NJ Transit must notify riders of service cuts under new law," Asbury Park Press, September 14, 2016

RWH/JA

P.L.2016, CHAPTER 52, *approved September 14, 2016*

Assembly, No. 227 (*Third Reprint*)

1 AN ACT concerning the curtailment of certain bus and rail services
2 and amending P.L.1979, c.150.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read as
8 follows:

9 8. a. The corporation or any subsidiary thereof shall not be
10 considered a public utility as defined in R.S.48:2-13, and except with
11 regard to subsection c. of this section, subsection b. of R.S.48:3-38,
12 section 2 of P.L.1989, c.291 (C.27:25-15.1), and R.S.48:12-152, the
13 provisions of Title 48 of the Revised Statutes shall not apply to the
14 corporation or any subsidiary thereof.

15 b. The authority hereby given to the corporation pursuant to
16 section 6 of **[this act]** P.L.1979, c.150 (C.27:25-6) with respect to
17 fares and service, shall be exercised without regard or reference to the
18 jurisdiction formerly vested in the Department of Transportation
19 regarding rates and rate schedules under R.S.48:2-21; discontinuance,
20 curtailment, or abandonment of service under R.S.48:2-24; and the
21 issuance of a certificate of public convenience and necessity under
22 R.S.48:4-3, and transferred to the New Jersey Motor Vehicle
23 Commission by P.L.2003, c.13 (C.39:2A-1 et al.). The New Jersey
24 Motor Vehicle Commission shall resume jurisdiction over service and
25 fares upon the termination and discontinuance of a contractual
26 relationship between the corporation and a private or public entity
27 relating to the provision of public transportation services operated
28 under the authority of certificates of public convenience and necessity
29 previously issued by the New Jersey Motor Vehicle Commission or
30 its predecessors; provided, however, that **[no]** a private entity shall not
31 be required to restore any service discontinued or any fare changed
32 during the existence of a contractual relationship with the corporation,
33 unless the New Jersey Motor Vehicle Commission shall determine,
34 after notice and hearing, that the service or fare is required by public
35 convenience and necessity.

36 c. Notwithstanding any other provisions of **[this act]** P.L.1979,
37 c.150 (C.27:25-1 et seq.), all vehicles used by any public or private
38 entity pursuant to contract authorized by **[this act]** P.L.1979,
39 c.150 (C.27:25-1 et seq.), and all vehicles operated by the corporation
40 directly, shall be subject to the jurisdiction of the department with
41 respect to maintenance, specifications, and safety to the same extent

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted February 8, 2016.

²Assembly floor amendments adopted February 18, 2016.

³Assembly floor amendments adopted March 14, 2016.

1 **【such】** that jurisdiction is conferred upon the department by Title 48
2 of the Revised Statutes.

3 d. Before implementing any fare increase for any motorbus
4 regular route or rail passenger services, or **【the substantial】** any
5 curtailment or abandonment of **【any such】** those services, the
6 corporation shall hold a public hearing in the area affected during
7 evening hours ¹, except that the corporation shall not be required to
8 hold a public hearing for a change in service that does not ²**【include**
9 **the curtailment or abandonment of】** : (1) increase fares; (2) eliminate²
10 a current motorbus regular route or ²any² rail passenger service ²**【, or**
11 **a change in scheduled service on】** ; or (3) change the time of² a
12 motorbus regular route or rail passenger service ²by more than ³**【one**
13 **hour】** two hours³ from the corporation's currently adopted schedule or
14 timetable,² so long as these services are provided at least three times
15 daily¹ ²,excluding holidays². Notice of **【such】** the hearing shall be
16 given by the corporation at least 15 days prior to **【such】** the hearing to
17 the governing body of each county whose residents will be affected
18 and to the clerk of each municipality in the county or counties whose
19 residents will be affected; **【such】** the notice shall also be posted at
20 least 15 days prior to **【such】** the hearing in prominent places on the
21 railroad cars and buses serving the routes to be affected.

22 e. Notice of its intent to discontinue, **【substantially】** curtail, or
23 abandon any motorbus regular route service or rail passenger service
24 shall be given by the corporation to the governing body of each county
25 whose residents will be affected and to the clerk of each municipality
26 in the county or counties whose residents will be affected at least 45
27 days prior to implementation of **【such】** the change in service.

28 (cf: P.L.2009, c.259, s.1)

29

30 2. This act shall take effect immediately.

31

32 3.

33

4. _____

34

5.

35 6. Requires NJT to hold public hearing and provide notice prior
36 to any curtailment of certain bus and rail services.

ASSEMBLY, No. 227

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires NJT to hold public hearing and provide notice prior to any curtailment of certain bus and rail services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/9/2016)

1 AN ACT concerning the curtailment of certain bus and rail services
2 and amending P.L.1979, c.150.

3

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

6

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

9 8. a. The corporation or any subsidiary thereof shall not be
10 considered a public utility as defined in R.S.48:2-13, and except
11 with regard to subsection c. of this section, subsection b. of
12 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1), and
13 R.S.48:12-152, the provisions of Title 48 of the Revised Statutes
14 shall not apply to the corporation or any subsidiary thereof.

15 b. The authority hereby given to the corporation pursuant to
16 section 6 of **[this act]** P.L.1979, c.150 (C.27:25-6) with respect to
17 fares and service, shall be exercised without regard or reference to
18 the jurisdiction formerly vested in the Department of Transportation
19 regarding rates and rate schedules under R.S.48:2-21;
20 discontinuance, curtailment, or abandonment of service under
21 R.S.48:2-24; and the issuance of a certificate of public convenience
22 and necessity under R.S.48:4-3, and transferred to the New Jersey
23 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al.).
24 The New Jersey Motor Vehicle Commission shall resume
25 jurisdiction over service and fares upon the termination and
26 discontinuance of a contractual relationship between the corporation
27 and a private or public entity relating to the provision of public
28 transportation services operated under the authority of certificates
29 of public convenience and necessity previously issued by the New
30 Jersey Motor Vehicle Commission or its predecessors; provided,
31 however, that **[no]** a private entity shall not be required to restore
32 any service discontinued or any fare changed during the existence
33 of a contractual relationship with the corporation, unless the New
34 Jersey Motor Vehicle Commission shall determine, after notice and
35 hearing, that the service or fare is required by public convenience
36 and necessity.

37 c. Notwithstanding any other provisions of **[this act]** P.L.1979,
38 c.150 (C.27:25-1 et seq.), all vehicles used by any public or private
39 entity pursuant to contract authorized by **[this act]** P.L.1979,
40 c.150 (C.27:25-1 et seq.), and all vehicles operated by the
41 corporation directly, shall be subject to the jurisdiction of the
42 department with respect to maintenance, specifications, and safety
43 to the same extent **[such]** that jurisdiction is conferred upon the
44 department by Title 48 of the Revised Statutes.

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 d. Before implementing any fare increase for any motorbus
2 regular route or rail passenger services, or **【the substantial】** any
3 curtailment or abandonment of **【any such】** those services, the
4 corporation shall hold a public hearing in the area affected during
5 evening hours. Notice of **【such】** the hearing shall be given by the
6 corporation at least 15 days prior to **【such】** the hearing to the
7 governing body of each county whose residents will be affected and
8 to the clerk of each municipality in the county or counties whose
9 residents will be affected; **【such】** the notice shall also be posted at
10 least 15 days prior to **【such】** the hearing in prominent places on the
11 railroad cars and buses serving the routes to be affected.

12 e. Notice of its intent to discontinue, **【substantially】** curtail, or
13 abandon any motorbus regular route service or rail passenger
14 service shall be given by the corporation to the governing body of
15 each county whose residents will be affected and to the clerk of
16 each municipality in the county or counties whose residents will be
17 affected at least 45 days prior to implementation of **【such】** the
18 change in service.

19 (cf: P.L.2009, c.259, s.1)

20

21 2. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill requires the New Jersey Transit Corporation (NJ
27 Transit) to hold a public hearing and provide notice to certain
28 county governing bodies and municipal clerks prior to
29 implementing any curtailment of motorbus regular route or rail
30 passenger service, including the minor curtailment of those
31 services. Under current law, NJ Transit is required to hold a public
32 hearing and provide notice prior to implementing the substantial
33 curtailment of motorbus regular route or rail passenger service.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 227

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2016

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 227.

As amended and reported, this bill requires the New Jersey Transit Corporation (NJ Transit) to hold a public hearing and provide notice to certain county governing bodies and municipal clerks prior to implementing any curtailment of motorbus regular route or rail passenger service, including the minor curtailment of those services. NJ Transit is not required to hold a public hearing for a change in service that does not include the curtailment or abandonment of a current motorbus regular route or rail passenger service, or a change in scheduled service on a motorbus regular route or rail passenger service so long as these services are provided at least three times daily. Under current law, NJ Transit is required to hold a public hearing and provide notice prior to implementing the substantial curtailment of motorbus regular route or rail passenger service.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that the NJ Transit is not required to hold a public hearing for a change in service that does not include the curtailment or abandonment of a current motorbus regular route or rail passenger service, or a change in scheduled service on a motorbus regular route or rail passenger service so long as these services are provided at least three times daily.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[Third Reprint]

ASSEMBLY, No. 227

STATE OF NEW JERSEY

DATED: MAY 2, 2016

The Senate Transportation Committee reports favorably Assembly Bill No. 227(3R).

As reported, this bill requires the New Jersey Transit Corporation (NJ Transit) to hold a public hearing and provide notice to certain county governing bodies and municipal clerks prior to implementing any curtailment of motorbus regular route or rail passenger service, including the minor curtailment of those services. NJ Transit is not required to hold a public hearing for a change in service that does not: (1) increase fares; (2) eliminate a current motorbus regular route or rail passenger service; or (3) change the time of a motorbus regular route or rail passenger service by more than two hours, so long as these services are provided at least three times daily, excluding holidays. Under current law, NJ Transit is required to hold a public hearing and provide notice prior to implementing the substantial curtailment of motorbus regular route or rail passenger service.

As reported, Assembly Bill No. 227(3R) is identical to Senate Bill No. 331, which was amended and reported by the committee on this date.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 227

with Assembly Floor Amendments
(Proposed by Assemblyman DEANGELO)

ADOPTED: FEBRUARY 18, 2016

This floor amendment clarifies when the New Jersey Transit Corporation (NJ Transit) is not required to hold a public hearing for a change in service. The amendment provides that NJ Transit is not required to hold a public hearing when the change in service does not increase fares, eliminate a current motorbus regular route or any rail passenger service, or change the time of these services by more than one hour from the corporation's currently adopted schedule or timetable, so long as these services are provided at least three times daily, excluding holidays.

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 227

with Assembly Floor Amendments
(Proposed by Assemblyman DEANGELO)

ADOPTED: MARCH 14, 2016

This floor amendment provides that the New Jersey Transit Corporation is not required to hold a public hearing for a change in service that does not change the time of a motorbus regular route or rail passenger service by more than two hours, instead of one hour, from the corporation's currently adopted schedule or timetable, so long as these services are provided at least three times daily, excluding holidays.

SENATE, No. 331

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senator Stack

SYNOPSIS

Requires NJT to hold public hearing and provide notice prior to any curtailment of certain bus and rail services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S331 SCUTARI, MADDEN

2

1 AN ACT concerning the curtailment of certain bus and rail services
2 and amending P.L.1979, c.150.

3

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

6

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

9 8. a. The corporation or any subsidiary thereof shall not be
10 considered a public utility as defined in R.S.48:2-13, and except
11 with regard to subsection c. of this section, subsection b. of
12 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1), and
13 R.S.48:12-152, the provisions of Title 48 of the Revised Statutes
14 shall not apply to the corporation or any subsidiary thereof.

15 b. The authority hereby given to the corporation pursuant to
16 section 6 of **[this act]** P.L.1979, c.150 (C.27:25-6) with respect to
17 fares and service, shall be exercised without regard or reference to
18 the jurisdiction formerly vested in the Department of Transportation
19 regarding rates and rate schedules under R.S.48:2-21;
20 discontinuance, curtailment, or abandonment of service under
21 R.S.48:2-24; and the issuance of a certificate of public convenience
22 and necessity under R.S.48:4-3, and transferred to the New Jersey
23 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al.).
24 The New Jersey Motor Vehicle Commission shall resume
25 jurisdiction over service and fares upon the termination and
26 discontinuance of a contractual relationship between the corporation
27 and a private or public entity relating to the provision of public
28 transportation services operated under the authority of certificates
29 of public convenience and necessity previously issued by the New
30 Jersey Motor Vehicle Commission or its predecessors; provided,
31 however, that **[no]** a private entity shall not be required to restore
32 any service discontinued or any fare changed during the existence
33 of a contractual relationship with the corporation, unless the New
34 Jersey Motor Vehicle Commission shall determine, after notice and
35 hearing, that the service or fare is required by public convenience
36 and necessity.

37 c. Notwithstanding any other provisions of **[this act]** P.L.1979,
38 c.150 (C.27:25-1 et seq.), all vehicles used by any public or private
39 entity pursuant to contract authorized by **[this act]** P.L.1979,
40 c.150 (C.27:25-1 et seq.), and all vehicles operated by the
41 corporation directly, shall be subject to the jurisdiction of the
42 department with respect to maintenance, specifications, and safety
43 to the same extent **[such]** that jurisdiction is conferred upon the
44 department by Title 48 of the Revised Statutes.

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 d. Before implementing any fare increase for any motorbus
2 regular route or rail passenger services, or **the substantial** any
3 curtailment or abandonment of **any such** those services, the
4 corporation shall hold a public hearing in the area affected during
5 evening hours. Notice of **such** the hearing shall be given by the
6 corporation at least 15 days prior to **such** the hearing to the
7 governing body of each county whose residents will be affected and
8 to the clerk of each municipality in the county or counties whose
9 residents will be affected; **such** the notice shall also be posted at
10 least 15 days prior to **such** the hearing in prominent places on the
11 railroad cars and buses serving the routes to be affected.

12 e. Notice of its intent to discontinue, **substantially** curtail, or
13 abandon any motorbus regular route service or rail passenger
14 service shall be given by the corporation to the governing body of
15 each county whose residents will be affected and to the clerk of
16 each municipality in the county or counties whose residents will be
17 affected at least 45 days prior to implementation of **such** the
18 change in service.

19 (cf: P.L.2009, c.259, s.1)

20

21 2. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill requires the New Jersey Transit Corporation (NJ
27 Transit) to hold a public hearing and provide notice to certain
28 county governing bodies and municipal clerks prior to
29 implementing any curtailment of motorbus regular route or rail
30 passenger service, including the minor curtailment of those
31 services. Under current law, NJ Transit is required to hold a public
32 hearing and provide notice prior to implementing the substantial
33 curtailment of motorbus regular route or rail passenger service.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 331

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 2, 2016

The Senate Transportation Committee reports favorably with committee amendments Senate Bill No. 331.

As amended and reported, this bill requires the New Jersey Transit Corporation (NJ Transit) to hold a public hearing and provide notice to certain county governing bodies and municipal clerks prior to implementing any curtailment of motorbus regular route or rail passenger service, including the minor curtailment of those services. NJ Transit is not required to hold a public hearing for a change in service that does not: (1) increase fares; (2) eliminate a current motorbus regular route or rail passenger service; or (3) change the time of a motorbus regular route or rail passenger service by more than two hours, so long as these services are provided at least three times daily, excluding holidays. Under current law, NJ Transit is required to hold a public hearing and provide notice prior to implementing the substantial curtailment of motorbus regular route or rail passenger service.

The committee amended the bill to provide the circumstances under which the NJ Transit is not required to hold a public hearing for a change in service, which include a change in service that does not increase fares, eliminate a current motorbus regular route or rail passenger service, or change the time of a motorbus regular route or rail passenger service by more than two hours, so long as these services are provided at least three times daily, excluding holidays.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported, Senate Bill No. 331 is identical to Assembly Bill No. 227(3R), which was also reported by the committee on this date.

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Governor Chris Christie Takes Action On Pending Legislation

Wednesday, September 14, 2016 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie announced that he has taken action on the following legislation:

BILL SIGNINGS:

A-227/S-331 (DeAngelo, Mukherji, Vainieri Huttle, McKeon/Scutari, Madden) - Requires NJT to hold public hearing and provide notice prior to any curtailment of certain bus and rail services

A-457/S-2345 (Mazzeo, Eustace, Gusciora, Holley/Scutari, Vitale) – w/STATEMENT - Authorizes medical marijuana for qualifying patients with post-traumatic stress disorder

A-1697/S-2394 (Dancer, Burzichelli, Bramnick, Caputo, Houghtaling/T. Kean, Bateman) - Authorizes New Jersey Racing Commission to grant special horse racing permit for steeplechase races; allows wagering on such races

###

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