39:3B-10

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2018 **CHAPTER:** 118

NJSA: 39:3B-10 (Requires certain school buses to be equipped with lap and shoulder seat belts.)

BILL NO: A4110 (Substituted for S233)

SPONSOR(S) Lopez and others

DATE INTRODUCED: 6/4/2018

COMMITTEE: ASSEMBLY: Transportation & Independent Authorities

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: 6/21/2018

SENATE: 6/25/2018

DATE OF APPROVAL: 8/25/2018

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted)

Yes

A4110

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(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: No

LEGISLATIVE FISCAL ESTIMATE: Yes

S233

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: No

(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: No

LEGISLATIVE FISCAL ESTIMATE: Yes

(continued)

VETO MESSAGE:	No	

FOLLOWING WERE PRINTED:

GOVERNOR'S PRESS RELEASE ON SIGNING:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstatelib.org

REPORTS: No

HEARINGS: Yes

Committee meeting of Senate Transportation Committee [and] Assembly Transportation and Independent Authorities Committee: the Committees will meet to hear testimony from invited guests regarding school bus safety [June 18, 2018, Trenton, New Jersey].

Call number: 974.90 S372, 2018g

Available online at https://dspace.njstatelib.org//handle/10929/48108

NEWSPAPER ARTICLES:

Yes

Yes

"Gov. Phil Murphy signs law in Paramus requiring shoulder restraints on school buses," northjersey.com, August 25, 2018 "BUSES TO GET SHOULDER RESTRAINTS - MURPHY SIGNS LAW IN PARAMUS, REMEMBERING 2 FROM SCHOOL KILLED IN ROUTE 80 CRASH," The Record, August 26, 2018

"NJ school buses now required to have lap and shoulder seat belts - NJ school buses now required to have lap and shoulder seat belts," The Press of Atlantic City, August 27, 2018

"After deadly crash, seat belts required for N.J. school buses," The Star-Ledger, August 27, 2018

RWH/CL

[&]quot;3-point seat belts now the law for N.J. school buses Gov. signs bill in response to deadly field trip crash in May," The Times, August 27, 2018

P.L. 2018, CHAPTER 118, approved August 25, 2018 Assembly, No. 4110 (First Reprint)

1 AN ACT concerning school buses and amending P.L.1992, c.92. 2 3 BE IT ENACTED by the Senate and General Assembly of the State 4 of New Jersey: 5 6 1. Section 1 of P.L.1992, c.92 (C.39:3B-10) is amended to read 7 as follows: 8 1. In addition to the requirements in Federal Motor Vehicle Safety Standard No. 222 ¹[(49 CFR s.571.222)] (49 C.F.R. 9 s.571.222)¹ concerning school bus passenger seating and crash 10 protection, each school bus as defined in R.S.39:1-1 shall be 11 12 equipped with seats of a minimum seat back height of 28 inches, or 13 24 inches as measured from the seating reference point, and three-14 point lap and shoulder seat belts [of the lap belt type] for each seating position on the bus or other child restraint systems that are 15 in conformity with applicable federal standards. The design and 16 17 installation of seat belts or other child restraint systems that are in 18 conformity with applicable federal standards shall conform to the 19 regulations promulgated by the State Board of Education, in consultation with the [Director] Chief Administrator of the 20 [Division of] ¹New Jersey ¹ Motor [Vehicles in the Department of 21 22 Law and Public Safety Vehicle Commission. The State board 23 shall promulgate regulations, pursuant to the "Administrative 24 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), for the 25 design and installation of seat belts or other child restraint systems 26 that are in conformity with applicable federal standards. As used in this section "seating reference point" shall be defined 27 28 as the term is defined in ¹[49 CFR s.571.3] 49 C.F.R.s.571.3¹. 29 (cf: P.L.1992, c.92, s.1) 30 31 2. This act shall take effect immediately and shall be applicable 32 to school buses manufactured on or after the 180th day following 33 enactment. 34 35 36 37

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

Requires certain school buses to be equipped with lap and

Matter underlined thus is new matter.

shoulder seat belts.

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Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted June 18, 2018.

ASSEMBLY, No. 4110

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED JUNE 4, 2018

Sponsored by:

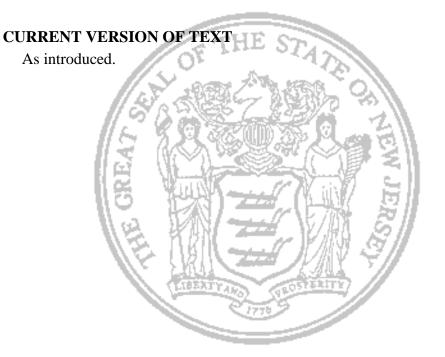
Assemblywoman YVONNE LOPEZ
District 19 (Middlesex)
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)
Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblywoman McKnight

SYNOPSIS

Requires certain school buses to be equipped with lap and shoulder seat belts



(Sponsorship Updated As Of: 6/15/2018)

A4110 LOPEZ, BENSON

1 2	AN ACT concerning school buses and amending P.L.1992, c.92.
3	BE IT ENACTED by the Senate and General Assembly of the State
4	of New Jersey:
5	of them versey.
6	1. Section 1 of P.L.1992, c.92 (C.39:3B-10) is amended to read
7	as follows:
8	1. In addition to the requirements in Federal Motor Vehicle
9	Safety Standard No. 222 (49 CFR s.571.222) concerning school bus
10	passenger seating and crash protection, each school bus as defined
11	in R.S.39:1-1 shall be equipped with seats of a minimum seat back
12	height of 28 inches, or 24 inches as measured from the seating
13	reference point, and three-point lap and shoulder seat belts of the
14	lap belt type I for each seating position on the bus or other child
15	restraint systems that are in conformity with applicable federal
16	standards. The design and installation of seat belts or other child
17	restraint systems that are in conformity with applicable federal
18	standards shall conform to the regulations promulgated by the State
19	Board of Education, in consultation with the [Director] Chief
20	Administrator of the [Division of] Motor [Vehicles in the
21	Department of Law and Public Safety Vehicle Commission. The
22	State board shall promulgate regulations, pursuant to the
23	"Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
24	seq.), for the design and installation of seat belts or other child
25	restraint systems that are in conformity with applicable federal
26	standards.
27	As used in this section "seating reference point" shall be defined
28	as the term is defined in 49 CFR s.571.3.
29	(cf: P.L.1992, c.92, s.1)
30	
31	2. This act shall take effect immediately and shall be applicable
32	to school buses manufactured on or after the 180th day following
33	enactment.
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36	STATEMENT
37	
38	This bill requires that all school buses manufactured on or after the
39	180th day following the bill's enactment be equipped with three-point

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40

180th day following the bill's enactment be equipped with three-point lap and shoulder seat belts. Under current law, school buses are

41 required to be equipped with only lap belts.

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

ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4110

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2018

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 4110.

As amended and reported, this bill requires that all school buses manufactured on or after the 180th day following the bill's enactment be equipped with three-point lap and shoulder seat belts. Under current law, school buses are only required to be equipped with lap belts.

COMMITTEE AMENDMENTS

The committee amended the bill to correct citations to certain federal regulations and to properly reference the New Jersey Motor Vehicle Commission.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4110 STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JUNE 26, 2018

SUMMARY

Synopsis: Requires certain school buses to be equipped with lap and shoulder

seat belts.

Type of Impact: Increased local cost.

Agencies Affected: School districts.

Office of Legislative Services Estimate

FY 2019 to 2030	
\$7.5 million to \$10 million	
Indeterminate	

- The New Jersey Motor Vehicle Commission notes that there are approximately 17,000 school buses in the State without lap and shoulder seat belts, and that approximately 1,500 to 2,000 newly purchased school buses are submitted for inspections annually. The marginal increase in cost to purchase a new school bus with lap and shoulder seat belts is approximately \$5,000 per school bus.
- School buses utilizing lap and shoulder seat belts generally have a lower seating capacity than buses with lap only seat belts, especially for younger children. This will eventually require the acquisition of additional school buses and drivers once a certain percentage of school bus fleets have been converted to lap and shoulder seat belt configurations. The impact of increasing fleet sizes is indeterminate because it is unclear what seating configurations will be selected by school bus purchasers, and many current school bus routes in operation are operating at peak capacity seating arrangements.
- At the current school bus replacement rate, it will cost approximately \$7.5 million to \$10 million per year for up to 11 years to replace all 17,000 school buses that are currently not equipped with lap and shoulder seat belts.



BILL DESCRIPTION

This bill requires that all school buses manufactured on or after the 180th day following the enactment of the bill be equipped with three-point lap and shoulder seat belts. Under current law, school buses are only required to be equipped with lap belts.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The bill is likely to cost between \$7.5 million and \$10 million per year, based on a Statewide school bus replacement rate of 1,500 to 2,000 school buses per year at an additional cost of \$5,000 per newly purchased school bus. There are approximately 17,000 school buses that will need to be replaced and it will take up to 11 years to fully replace all of the non-compliant school buses.

This estimate is based on information provided by the New Jersey Motor Vehicle Commission that there are 24,000 school buses in the State, that 17,000 of them currently lack a lap and shoulder safety belt system, and that on average about 1,500 to 2,000 new school buses are purchased each year.

The \$5,000 marginal increase in cost of a new school bus with lap and shoulder seat belts is based on news reports that the Paramus Board of Education is purchasing four new school buses this year, and that the cost of the school bus purchase is \$21,300 higher to have those four buses equipped with lap and shoulder seat belts, approximately \$5,000 per new school bus.

A school bus with no seat belts or lap belts only, typically can seat three students per seat or six students per row for elementary-aged students, and roughly two students per seat or four students per row for high school-aged students. When a school bus is equipped with lap and shoulder seat belts, the configuration of the seats generally changes. Available configurations include a 3/2 layout where one side of the school bus is equipped with the ability to seat three students with a slightly longer seat and the other side is equipped with shorter seats and the ability to only seat two students. There are also configurations with two equally sized rows that seat two students on each side. In either case, the seating capacity per row generally falls for elementary aged-students from six students per row, to either four or five students. For high school-aged students, the seating capacity remains roughly the same.

This loss in seating capacity means that by the time all of the school buses have been replaced, more school buses will be required to be in operation to transport the same number of students. The amount of new school buses needed is not clear. First, it is not clear what arrangement of lap and shoulder seat belt seating will be selected by the various school districts, so the total loss in capacity is not known. Further, it is not clear how schools currently structure their school bus routes. Any route currently run for students that has two or less students per seat at capacity is unlikely to be impacted by this change, while buses that have three elementary school-aged children per seat while at capacity will likely be impacted. Without knowing the makeup of the current school buses at capacity, we cannot know how many additional school buses will need to be purchased. Further it is not clear the rate at which school districts will replace school buses. While fleets are in the process of being replaced, older school buses can

supply the more congested routes, mitigating the need for a change until later in the replacement cycle. Further, it is also possible that through a redesign of the route system, more congested routes can be altered so that the same number of school buses will accommodate the same number of children by simply rebalancing the student loads on each route. For these reasons the cost and timing of adding new school buses is indeterminate. To the extent that new school buses are required, it will entail the purchase of new school buses at a cost of between \$75,000 and \$125,000 each depending upon the school bus seating capacity and features, as well as the cost to hire an additional school bus driver, and fuel costs. The labor and fuel costs will depend upon the length of the new routes in time and miles.

Not all of these school buses are purchased exclusively by school districts. Some of these buses will need to be purchased by private companies that provide school busing to districts through service contracts. While the purchasing will not be borne directly by the school districts, it is assumed that the bulk of the cost will eventually be borne by the districts through contract pricing.

Section: Authorities, Utilities, Transportation and Communications

Analyst: Patrick Brennan

Lead Fiscal Analyst

Approved: Frank W. Haines III

Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 233

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Senator SHIRLEY K. TURNER District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Diegnan, Gill and Ruiz

SYNOPSIS

Requires certain school buses to be equipped with lap and shoulder seat belts.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/26/2018)

1	AN ACT concerning school buses and amending P.L.1992, c.92.
2	
3	BE IT ENACTED by the Senate and General Assembly of the State
4	of New Jersey:
5	
6	1. Section 1 of P.L.1992, c.92 (C.39:3B-10) is amended to read
7	as follows:
8	1. In addition to the requirements in Federal Motor Vehicle
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11	in R.S.39:1-1 shall be equipped with seats of a minimum seat back
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19	Board of Education, in consultation with the [Director] Chief
20	Administrator of the [Division of] Motor [Vehicles in the
21	Department of Law and Public Safety Vehicle Commission. The
22	State board shall promulgate regulations, pursuant to the
23	"Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
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41	required to be equipped with only lap belts.

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LEGISLATIVE FISCAL ESTIMATE SENATE, No. 233

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JUNE 28, 2018

SUMMARY

Synopsis: Requires certain school buses to be equipped with lap and shoulder

seat belts.

Type of Impact: Increased local cost.

Agencies Affected: School districts.

Office of Legislative Services Estimate

Fiscal Impact	FY 2019 to 2030	
Annual School Bus Replacement Cost	\$7.5 million to \$10 million	
New Bus Purchase and Operation	Indeterminate	

- The New Jersey Motor Vehicle Commission notes that there are approximately 17,000 school buses in the State without lap and shoulder seat belts, and that approximately 1,500 to 2,000 newly purchased school buses are submitted for inspections annually. The marginal increase in cost to purchase a new school bus with lap and shoulder seat belts is approximately \$5,000 per school bus.
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- At the current school bus replacement rate, it will cost approximately \$7.5 million to \$10 million per year for up to 11 years to replace all 17,000 school buses that are currently not equipped with lap and shoulder seat belts.



BILL DESCRIPTION

This bill requires that all school buses manufactured on or after the 180th day following the enactment of the bill be equipped with three-point lap and shoulder seat belts. Under current law, school buses are only required to be equipped with lap belts.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The bill is likely to cost between \$7.5 million and \$10 million per year, based on a Statewide school bus replacement rate of 1,500 to 2,000 school buses per year at an additional cost of \$5,000 per newly purchased school bus. There are approximately 17,000 school buses that will need to be replaced and it will take up to 11 years to fully replace all of the non-compliant school buses.

This estimate is based on information provided by the New Jersey Motor Vehicle Commission that there are 24,000 school buses in the State, that 17,000 of them currently lack a lap and shoulder safety belt system, and that on average about 1,500 to 2,000 new school buses are purchased each year.

The \$5,000 marginal increase in cost of a new school bus with lap and shoulder seat belts is based on news reports that the Paramus Board of Education is purchasing four new school buses this year, and that the cost of the school bus purchase is \$21,300 higher to have those four buses equipped with lap and shoulder seat belts, approximately \$5,000 per new school bus.

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supply the more congested routes, mitigating the need for a change until later in the replacement cycle. Further, it is also possible that through a redesign of the route system, more congested routes can be altered so that the same number of school buses will accommodate the same number of children by simply rebalancing the student loads on each route. For these reasons the cost and timing of adding new school buses is indeterminate. To the extent that new school buses are required, it will entail the purchase of new school buses at a cost of between \$75,000 and \$125,000 each depending upon the school bus seating capacity and features, as well as the cost to hire an additional school bus driver, and fuel costs. The labor and fuel costs will depend upon the length of the new routes in time and miles.

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Section: Authorities, Utilities, Transportation and Communications

Analyst: Patrick Brennan

Lead Fiscal Analyst

Approved: Frank W. Haines III

Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).



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Governor Murphy Signs School Seat Belt Legislation to Safeguard Students

08/25/2018

PARAMUS – Governor Phil Murphy today signed legislation requiring certain school buses to be equipped with lap and shoulder seat belts. The Governor signed the bill, A-4110, in response to the Paramus East Brook Middle School bus crash which killed a teacher and a student in May.

On Thursday May 17, 2018, a school bus carrying 38 students and seven adults from the Paramus School District collided with a dump truck on Route 80 in Morris County. Teacher Jennifer Williamson, who taught at East Brook for more than 20 years, and 10-year old student Miranda Vargas died in the crash.

"We will never know if a three-point belt would have saved the lives of Miranda Vargas and Jennifer Williamson, or whether they would have prevented serious injury to so many others on May 17," **said Governor Murphy**. "Every child and every educator and adult chaperone deserves our best effort to protect their safety and the best possible chance of emerging unharmed in the unfortunate event of a school bus accident. For Miranda and Mrs. Williamson and for all the children in New Jersey and for their families and communities, I am honored to sign this legislation."

A-4110, which modifies existing law, P.L.1992, c.92., requires school buses to have a three-point lap and shoulder seat belt or other child restraint system for each seat on the bus in conformity with federal standards.

The legislation takes effect immediately and applies to school buses manufactured on or after 180 days of the Governor's signature.

"We know that lap belts are not enough to keep kids safe in a school bus crash," **Senator Sam Thompson said**. "That's why I've worked hard over the past five years to have New Jersey's school buses equipped with three-point seat belts. I'm glad that Governor Murphy has signed this measure into law."

"Today, the State of New Jersey will lead by example in requiring by law the use of three-point seat belt systems on school buses. Our children should have the best protection possible on school buses in case of an accident," **said Assemblywoman Yvonne Lopez**. "We use a three-point lap safety belt in our vehicles to safely secure ourselves and our children while driving. A school bus must have the same level of protection for our children going to and from school. With the signing of this bill into law, we strengthen bus requirements and improve the safety of our student bus riders."

"Following the bus accident that tragically took the lives of a Paramus student and teacher, I called for legislative hearings to improve safety. We heard moving testimony from a family friend of mine that survived the crash. He wondered why school buses didn't have the same kind of seatbelts as his parents' car that came with over the shoulder seatbelts," **said Senator Joseph Lagana**. "With the signing of this bill into law, we are ensuring our

children will be protected the way they deserve."

"The May bus crash was a tragic reminder of how vulnerable our students are while riding on school buses. Cars are equipped with seat belts and for good reason. They can prevent fatalities and minimize injuries," **said Assemblywoman Lisa Swain**. "I'm happy that this bill, one of my very first as a representative of this community, is now law and will help keep our students safe by requiring three-point lap and shoulder seat belts in all school buses."

"Seat belts save lives. Equipping school buses with three-point lap and shoulder safety harnesses can help make all the difference in the event of an accident," **said Assemblyman Chris Tully**. "As a father, I know that what occurred this past May is every parent's worst nightmare. The fight for student safety reforms is not over, but I hope parents can rest a little easier knowing their children are riding more securely now."

Sponsors of the legislation include: Assembly members Yvonne Lopez, Daniel R. Benson, Lisa Swain and Christopher Tully as well as Senators Samuel D. Thompson, Shirley K. Turner and Joseph A. Lagana.

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