

48:2-13

LEGISLATIVE FACT SHEET

on *Buses cert. exempt. - P.U.C.*

N.J.R.S. 48:2-13  
48:4-1  
48:16-23

( 1973 Amendment)

LAWS OF 1973

CHAPTER 272 Nov. 29, 1973

SENATE BILL 1130 [OCR]

ASSEMBLY BILL

INTRODUCED Nov. 13, 1972

BY *Cafiero*

SPONSOR'S STATEMENT

YES  NO

ASSEMBLY COMMITTEE STATEMENT

YES  NO

SENATE COMMITTEE STATEMENT

YES  NO

FISCAL NOTE

YES  NO

AMENDED DURING PASSAGE

YES  NO

HEARING *None discovered*

VETO *Nov. 12, 1973 - conditional*

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SENATE TRANSPORTATION AND COMMUNICATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1130

STATE OF NEW JERSEY

DATED: NOVEMBER 20, 1972

This bill amends R. S. 48:2-13 to exempt from jurisdiction of the Board of Public Utility Commissioners any autobus with a capacity of not more than 10 passengers operated under municipal consent upon a route within one municipality or with a capacity of not more than 20 passengers operated under municipal consent upon a route within not more than four contiguous municipalities within any county of the sixth class. This provision applies under present law to any county of the fifth class.

LR/PC  
11/7/75

11-12-73

ADVANCE COPY  
SENATE, No. 1130

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 13, 1972

By Senator CAFIERO

Referred to Committee on Transportation and Communications

AN ACT concerning autobuses with respect to specifications, insurance requirements and financial responsibility, and amending R. S. 48:2-13, R. S. 48:4-1 and R. S. 48:16-23.

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

1 1. R. S. 48:2-13 is amended to read as follows:

2 48:2-13. The board shall have general supervision and regulation  
3 of and jurisdiction and control over all public utilities as herein-  
4 after in this section defined and their property, property rights,  
5 equipment, facilities and franchises so far as may be necessary for  
6 the purpose of carrying out the provisions of this Title.

7 The term "public utility" shall include every individual, co-  
8 partnership, association, corporation or joint stock company, their  
9 lessees, trustees or receivers appointed by any court whatsoever,  
10 their successors, heirs or assigns, that now or hereafter may own,  
11 operate, manage or control within this State any railroad, street  
12 railway, traction railway, autobus, canal, express, subway, pipeline,  
13 gas, electric light, heat, power, water, oil, sewer, solid waste collec-  
14 tion, solid waste disposal, telephone or telegraph system, plant or  
15 equipment for public use, under privileges granted or hereafter to  
16 be granted by this State or by any political subdivision thereof.

17 Nothing contained in this Title shall extend the powers of the  
18 board to include any supervision and regulation of, or jurisdiction  
19 and control over any vehicles engaged in the transportation of  
20 passengers for hire in the manner and form commonly called taxi-  
21 cab service unless such service becomes or is held out to be regular  
22 service between stated termini; hotel busses used exclusively for  
23 the transportation of hotel patrons to or from local railroad or  
24 other common carrier stations, including local airports, or bus em-  
25 ployed solely for transporting school children and teachers, to and

26 from school, or any autobus with a carrying capacity of not more  
27 than 10 passengers now or hereafter operated under municipal  
28 consent upon a route established wholly within the limits of a single  
29 municipality or with a carrying capacity of not more than 20  
30 passengers operated under municipal consent upon a route estab-  
31 lished wholly within the limits of not more than four contiguous  
32 municipalities within any county of the fifth *or sixth* class, which  
33 route in either case does not in whole or in part parallel upon the  
34 same street the line of any street railway or traction railway or any  
35 other autobus route.

1 2. R. S. 48:4-1 is amended to read as follows:

2 48:4-1. The term "autobus" as used in this chapter means and  
3 includes, except as hereinafter noted, any motor vehicle or motor-  
4 bus operated over public highways or public places in this State for  
5 the transportation of passengers for hire in intrastate business,  
6 notwithstanding such motor vehicle or motorbus may be used in  
7 interstate commerce.

8 Nothing contained herein shall be construed to include:

9 a. Vehicles engaged in the transportation of passengers for hire  
10 in the manner and form commonly called taxicab service unless such  
11 service becomes or is held out to be regular service between stated  
12 termini;

13 b. Hotel busses used exclusively for the transportation of hotel  
14 patrons to or from local railroad or other common carrier stations  
15 including local airports;

16 c. Busses operated solely for the transportation of school chil-  
17 dren and teachers to and from school;

18 d. Any autobus with a carrying capacity of not more than 10  
19 passengers operated under municipal consent upon a route estab-  
20 lished wholly within the limits of a single municipality or with a  
21 carrying capacity of not more than 20 passengers operated under  
22 municipal consent upon a route established wholly within the limits  
23 of not more than four contiguous municipalities within any county  
24 of the fifth *or sixth* class, which route in either case does not in  
25 whole or in part parallel upon the same street the line of any street  
26 railway or traction railway or any other autobus route.

27 The word "person" as used in this chapter means and includes  
28 any individual, copartnership, association, corporation or joint  
29 stock company, their lessees, trustees, or receivers appointed by any  
30 court.

31 The word "street" as used in this chapter means and includes  
32 any street, avenue, park, parkway, highway, road or other public  
33 place.

34 The term "charter bus operation" as used in this chapter means  
35 and includes the operation of an autobus or autobusses by the per-  
36 son owning or leasing such bus or busses pursuant to a contract,  
37 agreement or arrangement to furnish an autobus or autobusses and  
38 a driver or drivers thereof to a person, group of persons or orga-  
39 nization (corporate or otherwise) for a trip designated by such per-  
40 son, group of persons or organization for a fixed charge per trip,  
41 per autobus or per mile.

42 The term "special bus operation" as used in this chapter means  
43 and includes the operation by the owner or lessee of an autobus or  
44 autobusses for the purpose of carrying passengers for hire, each  
45 passenger paying a fixed charge for his carriage, on a special trip  
46 arranged and designated by such owner or lessee, which fixed  
47 charge may or may not include meals, lodging, entertainment or  
48 other charges.

1 3. R. S. 48:16-23 is amended to read as follows:

2 48:16-23. The word "autobus" as used in this article shall mean  
3 and include any automobile or motor bus, commonly called jitney,  
4 with a carrying capacity of not more than ten passengers, operated  
5 under municipal consent upon a route established wholly within the  
6 limits of a single municipality or with a carrying capacity of not  
7 more than 20 passengers operated under municipal consent upon a  
8 route established wholly within the limits of not more than four  
9 contiguous municipalities within any county of the fifth or sixth  
10 class, which route in either case does not, in whole or in part,  
11 parallel upon the same street the line of any street railway or  
12 traction railway or any other autobus route.

13 The word "person" as used in this article shall mean and include  
14 any individual, copartnership, association, corporation or joint  
15 stock company, their lessees, trustees, or receivers appointed by  
16 any court whatsoever.

17 The word "street" as used in this article shall mean and include  
18 any street, avenue, park, parkway, highway or other public place.

1 4. This act shall take effect immediately.

SENATE TRANSPORTATION AND  
COMMUNICATIONS COMMITTEE

STATEMENT TO  
**SENATE, No. 1130**

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**STATE OF NEW JERSEY**

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DATED: NOVEMBER 20, 1972

This bill amends R. S. 48:2-13 to exempt from jurisdiction of the Board of Public Utility Commissioners any autobus with a capacity of not more than 10 passengers operated under municipal consent upon a route within one municipality or with a capacity of not more than 20 passengers operated under municipal consent upon a route within not more than four contiguous municipalities within any county of the sixth class. This provision applies under present law to any county of the fifth class.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

November 12, 1973

SENATE BILL NO. 1130

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1130 with my objections, for reconsideration.

Senate Bill No. 1130 amends R.S. 48:2-13 to exempt from the Board of Public Utility Commissioners' jurisdiction autobuses with a capacity of not more than 20 passengers operating within not more than four contiguous municipalities in any county of the sixth class.

Senate Bill No. 1028, enacted June 7, 1973, becoming P.L. 1973, c.158, also amended R.S. 48:2-13 to include "charter bus operation" and "special bus operation" as public utilities.

Senate Bill No. 1130 does not contain the amendment to R.S. 48:2-13 made by P.L. 1973, c.158. Enactment of Senate Bill No. 1130 without this amendatory language might be viewed as repealing the amendment adopted by P.L. 1973, c.158.

Accordingly, I am returning herewith Senate Bill No. 1130 with the following recommendations:

Page 1, Section 1, Line 12: After "autobus," insert "charter bus operation, special bus operation,"

Respectfully,

/s/ William T. Cahill

GOVERNOR

[seal]

Attest:

/s/ Jean E. Mulford

Acting Secretary to the Governor

SENATE AMENDMENT TO  
**SENATE, No. 1130**

—◆—  
**STATE OF NEW JERSEY**  
—◆—

ADOPTED NOVEMBER 12, 1973

Amend page 1, section 1, line 12, after "autobus," insert "charter bus operation, special bus operation,".

[OFFICIAL COPY REPRINT]  
**SENATE, No. 1130**

**STATE OF NEW JERSEY**

INTRODUCED NOVEMBER 13, 1972

By Senator CAFIERO

Referred to Committee on Transportation and Communications

AN ACT concerning autobuses with respect to specifications, insurance requirements and financial responsibility, and amending R. S. 48:2-13, R. S. 48:4-1 and R. S. 48:16-23.

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

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3 of and jurisdiction and control over all public utilities as herein-  
4 after in this section defined and their property, property rights,  
5 equipment, facilities and franchises so far as may be necessary for  
6 the purpose of carrying out the provisions of this Title.

7 The term "public utility" shall include every individual, co-  
8 partnership, association, corporation or joint stock company, their  
9 lessees, trustees or receivers appointed by any court whatsoever,  
10 their successors, heirs or assigns, that now or hereafter may own,  
11 operate, manage or control within this State any railroad, street  
12 railway, traction railway, autobus, \**charter bus operation, special*  
13 *bus operation,\** canal, express, subway, pipeline, gas, electric light,  
14 heat, power, water, oil, sewer, solid waste collection, solid waste  
15 disposal, telephone or telegraph system, plant or equipment for  
16 public use, under privileges granted or hereafter to be granted  
16A by this State or by any political subdivision thereof.

17 Nothing contained in this Title shall extend the powers of the  
18 board to include any supervision and regulation of, or jurisdiction  
19 and control over any vehicles engaged in the transportation of  
20 passengers for hire in the manner and form commonly called taxi-  
21 cab service unless such service becomes or is held out to be regular  
22 service between stated termini; hotel busses used exclusively for  
23 the transportation of hotel patrons to or from local railroad or  
24 other common carrier stations, including local airports, or bus em-  
25 ployed solely for transporting school children and teachers, to and



26 from school, or any autobus with a carrying capacity of not more  
27 than 10 passengers now or hereafter operated under municipal  
28 consent upon a route established wholly within the limits of a single  
29 municipality or with a carrying capacity of not more than 20  
30 passengers operated under municipal consent upon a route estab-  
31 lished wholly within the limits of not more than four contiguous  
32 municipalities within any county of the fifth *or sixth* class, which  
33 route in either case does not in whole or in part parallel upon the  
34 same street the line of any street railway or traction railway or any  
35 other autobus route.

1 2. R. S. 48:4-1 is amended to read as follows:

2 48:4-1. The term "autobus" as used in this chapter means and  
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5 the transportation of passengers for hire in intrastate business,  
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13 b. Hotel busses used exclusively for the transportation of hotel  
14 patrons to or from local railroad or other common carrier stations  
15 including local airports;

16 c. Busses operated solely for the transportation of school chil-  
17 dren and teachers to and from school;

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22 municipal consent upon a route established wholly within the limits  
23 of not more than four contiguous municipalities within any county  
24 of the fifth *or sixth* class, which route in either case does not in  
25 whole or in part parallel upon the same street the line of any street  
26 railway or traction railway or any other autobus route.

27 The word "person" as used in this chapter means and includes  
28 any individual, copartnership, association, corporation or joint  
29 stock company, their lessees, trustees, or receivers appointed by any  
30 court.

31 The word "street" as used in this chapter means and includes  
32 any street, avenue, park, parkway, highway, road or other public  
33 place.

34 The term "charter bus operation" as used in this chapter means  
35 and includes the operation of an autobus or autobusses by the per-  
36 son owning or leasing such bus or busses pursuant to a contract,  
37 agreement or arrangement to furnish an autobus or autobusses and  
38 a driver or drivers thereof to a person, group of persons or orga-  
39 nization (corporate or otherwise) for a trip designated by such per-  
40 son, group of persons or organization for a fixed charge per trip,  
41 per autobus or per mile.

42 The term "special bus operation" as used in this chapter means  
43 and includes the operation by the owner or lessee of an autobus or  
44 autobusses for the purpose of carrying passengers for hire, each  
45 passenger paying a fixed charge for his carriage, on a special trip  
46 arranged and designated by such owner or lessee, which fixed  
47 charge may or may not include meals, lodging, entertainment or  
48 other charges.

1 3. R. S. 48:16-23 is amended to read as follows:

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