

18A:25-2

March 17, 1970

LEGISLATIVE HISTORY OF R.S. 18A:25-2  
(School bus driver in full control of bus)

Previous bills introduced:

COPY NO. 2

1968 - A970 (Mabie & others).  
Died in Committee.

L. 1969, Chapter 175 - A18

Prefiled by Mabie (and others).

April 14 - Passed in Assembly, amended.

May 1 - Passed in Senate.

October 14 - Approved, Chapter 175.

Amended during passage (copy of original bill and  
amendment enclosed.)

No statement.

Governor's statement on signing (copy is enclosed).

This bill discussed at:

974.905 State Federation District Boards of Education.  
L51 Legislative bulletin, vol. 17, no. 1,  
Jan. 31, 1969. (copy enclosed).

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ASSEMBLY, No. 18

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1969 SESSION

By Assemblymen MABIE, BROWN, W. L. SMITH, GAVAN, HIGGINS, CURCIO, TODD, DICKEY, FRIEDLAND, FIORE, HEILMANN, VANDER PLAAT, SELECKY, HOLLENBECK, PEDERSEN, FONTANELLA, EVERS, SCANCARELA, WILSON and VOLK

AN ACT concerning transportation of pupils to and from certain schools and amending section 18A:25-2 of the New Jersey Statutes.

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

1 1. Section 18A:25-2 of the New Jersey Statutes is amended to  
2 read as follows:

3 18A:25-2. A teacher or other person in authority over such pupil  
4 shall hold every pupil accountable for disorderly conduct in school  
5 and during recess and on the playgrounds of the school and on the  
6 way to and from school.

7 *The driver shall be in full charge of the school bus at all times*  
8 *and shall be responsible for order; he shall never exclude a pupil*  
9 *from the bus, but, if unable to manage any pupil, shall report the*  
10 *unmanageable pupil to the principal of the school which he attends.*

11 *No pupil may be excluded from the bus for disciplinary reasons*  
12 *unless he is simultaneously suspended from school by the principal.*

1 2. This act shall take effect immediately.

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ASSEMBLY AMENDMENTS TO  
**ASSEMBLY, No. 18**

**STATE OF NEW JERSEY**

ADOPTED APRIL 10, 1969

Amend page 1, section 1, line 11, omit "No", insert "A".

Amend page 1, section 1, line 12, omit "unless he is simultaneously suspended from school"; after "principal", insert ", and his parents shall provide for his transportation to and from school during the period of such exclusion".

FROM: OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE: OCTOBER 14, 1969

STATEMENT BY GOVERNOR RICHARD J. HUGHES UPON HIS APPROVAL OF  
ASSEMBLY BILL NO. 18

I have today signed Assembly Bill No. 18 which amends the law pertaining to the conduct of our schools and provides that the driver of a school bus shall be responsible for maintaining order thereon, and that he shall be in full charge of the bus at all times. Nevertheless, the bill provides that the driver shall himself never exclude a pupil from the bus, but shall report any unmanageable pupil to the principal of the school. It is the principal alone who shall have the power to exclude the pupil from the bus for disciplinary reasons. It would then be up to the pupil's parents to provide for his transportation to and from the school during the period of such exclusion.

This is salutary and much needed legislation. However, a situation the Legislature never contemplated may arise under the present language of this bill. The bill states that the school bus driver "shall never exclude a pupil from the bus". Clearly, there may be times when the driver will have to exercise his own judgment in resolving a clear and present danger to the other pupils on the vehicle. Therefore, I would hope that the Legislature will amend that section of the law so as to provide for the emergency situation where it may be necessary for the bus driver to exclude a particular pupil in order to protect the life and limb of other school children on the bus.

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A18-1969

**A-18** Mabie, Brown, W. Smith, Gavan, Higgins, Curcio, Todd, Dickey, Friedland, Fiore, Heilmann, Vander Plaat, Selecky, Hollenbeck, Pedersen, Fontanella, Evers, Scancarella, Wilson, Volk—Pre-filed—Provides that a school bus driver shall be in full charge of the bus at all times and be responsible for order.

Also provides that no pupil may be excluded from the bus for disciplinary reasons unless he is simultaneously suspended from school by the principal.

January 14—Education Committee.

*The Federation's Ad Hoc Transportation Committee is presently conducting a nationwide study to determine how other states handle discipline problems among pupils whose transportation is mandated by the State. The Legislative Committee opposes the suspension of a child from school if he has been excluded from the bus for disciplinary reasons. This would mean that a child's education would be dependent upon his behavior on the bus. The Committee opposes this bill and respectfully requests that action be deferred until the present Federation study is concluded and the results analyzed.*

Legislative Bulletin  
Vol. 17, no. 1, Jan 31, 1969  
State Federation  
District Boards of Education

974.905  
L 51