



# ***LEGISLATIVE HISTORY CHECKLIST***

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**LAWS OF:** 1998

**CHAPTER:**80

**NJSA:**39:3B-1.1

"School buses -- crossing control arms"

**BILL NO:** S790 (Substituted for A2147)

**SPONSOR(S):** Matheussen and Palaia

**DATE INTRODUCED:** March 2, 1998

**COMMITTEE:**

***ASSEMBLY:*** Education

***SENATE:*** Education

**AMENDED DURING PASSAGE:**No

**DATE OF PASSAGE:**

***ASSEMBLY:*** July 30, 1998

***SENATE:*** May 28, 1998

**DATE OF APPROVAL:** August 14, 1998

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## **THE FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** Original

**S790**

**SPONSORS STATEMENT:** *Yes* (Begins on page 3 of original bill)

**COMMITTEE STATEMENT:**

**ASSEMBLY:***Yes*

**SENATE:***Yes*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *Yes*

**A2147**

**SPONSORS STATEMENT:** *Yes* (Begins on page 3 of original bill)

(Bill and Sponsors Statement identical to S790)

**COMMITTEE STATEMENT:**

**ASSEMBLY:** *Yes*

(Identical to Senate Statement for S790)

**SENATE:** *No*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *Yes*

(Identical to Legislative Fiscal Estimate for S790)

**VETO MESSAGE:** *No*

**GOVERNOR'S PRESS RELEASE ON SIGNING:** *Yes*

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**THE FOLLOWING WERE PRINTED:**

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**REPORTS:** *No*

**HEARINGS:** *No*

**NEWSPAPER ARTICLES:** *No*

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# SENATE, No. 790

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 2, 1998

**Sponsored by:**

**Senator JOHN J. MATHEUSSEN**

**District 4 (Camden and Gloucester)**

**Senator JOSEPH A. PALAIA**

**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senators Cafiero, Turner, Sacco and Assemblyman Geist**

**SYNOPSIS**

Clarifies requirement that school buses are to be equipped with crossing control arms.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 7/31/1998)**

S790 MATHEUSSEN, PALAIA

2

1 AN ACT concerning crossing control arms on school buses, amending  
2 P.L.1996, c.96 and repealing section 4 of P.L.1996, c.96.

3

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

6

7 1. Section 1 of P.L.1996, c. 96 (C.39:3B-1.1) is amended to read  
8 as follows:

9 1. Every school bus as defined under R.S.39:1-1, which was  
10 originally designed to carry 10 or more passengers and which is in  
11 operation on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et  
12 seq.)] August 6, 1996, transporting public and nonpublic school pupils  
13 and every new or used such school bus purchased on or after [the  
14 effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.) used to  
15 transport pupils pursuant to N.J.S.18A:39-1 et seq. , including buses  
16 used to transport all nonpublic school pupils,] that date to transport  
17 public and nonpublic school pupils shall be equipped with a crossing  
18 control arm at the right front corner of the bus. In each year  
19 subsequent to [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et  
20 seq.)] August 6, 1996, 50 percent of all school bus fleets in operation  
21 on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.)] that  
22 date owned by any agency, a board of education, a nonpublic school  
23 or a school bus contractor not already equipped with a crossing  
24 control arm shall be so equipped, provided[, however] that each  
25 vehicle used to transport elementary school students shall be given  
26 priority to be equipped with a crossing control arm in the first year  
27 following [the effective date] August 6, 1996. The arm shall open  
28 and extend out from the front of the bus at least 5 1/2 feet each time  
29 the bus door is opened.

30 (cf: P.L.1996, c.96, s.1)

31

32 2. Section 2 of P.L.1996, c.96 (C.39:3B-1.2) is amended to read  
33 as follows:

34 2. Each agency, school district and nonpublic school that owns and  
35 operates its own school buses and each school bus contractor that  
36 [provides transportation services pursuant to N.J.S.18A:39-1]  
37 operates school buses, as defined in section 1 of P.L.1996, c.96  
38 (C.39:3B-1.1), shall receive reimbursement from the Department of  
39 Education in an amount up to, but not to exceed, \$300 per bus for  
40 retrofitting those school buses in operation on [the effective date of  
41 P.L.1996, c.96 (C.39:3B-1.1 et seq.)] August 6, 1996, and an amount  
42 up to, but not to exceed, \$200 per bus for buses put into operation

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

**Matter underlined thus is new matter.**

1 after that date for the cost of including the crossing control arm on  
2 those buses. If any agency, school district, nonpublic school or  
3 school bus contractor chooses to equip more than 50 percent of its  
4 school buses in any one year, it shall receive a maximum  
5 reimbursement for 50 percent of its school buses for that year.  
6 Reimbursement for retrofitting more than 50 percent of its school  
7 buses will be paid in the subsequent year based on a schedule to be  
8 determined by the commissioner, not to exceed two years.  
9 (cf: P.L.1996, c.96, s.2)

10

11 3. Section 3 of P.L.1996, c.96 (C.39:3B-1.3) is amended to read  
12 as follows:

13 3. **[Within]** No later than 60 days **[of]** after the effective date of  
14 **[P.L.1996, c.96]** P.L. , c.  (C.39:3B-1.1 et seq.) (now pending  
15 before the Legislature as this bill), each agency, board of education  
16 nonpublic school and school bus contractor shall submit to the  
17 Commissioner of Education a list of all vehicles, as defined in section  
18 1 of P.L.1996, c.96 (C.39:3B-1.1), that are used to transport students  
19 **[pursuant to N.J.S.18A:39-1]** on **[the effective date of P.L.1996, c.96**  
20 **(C.39:3B-1.1 et seq.)]** August 6, 1996, including: the vehicle serial  
21 number; the year, make and license plate number as noted on the  
22 vehicle registration; and an indication as to whether the vehicle is  
23 currently equipped with a crossing control arm.

24 The owners of such vehicles may apply for reimbursement through  
25 the Department of Education in accordance with section 2 of  
26 P.L.1996, c.96 (C.39:3B-1.2) on an application form as the  
27 Commissioner of Education shall prescribe. The application shall be  
28 accompanied by a receipt for the purchase of the crossing control arm  
29 through an authorized dealer.

30 (cf: P.L.1996, c.96, s.3)

31

32 4. Section 4 of P.L.1996, c.96 (C.39:3B-1.4) is repealed.

33

34 5. This act shall take effect immediately.

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36

37

#### STATEMENT

38

39 This bill amends the statute, approved on August 6, 1996, that  
40 requires the installation of crossing control arms on school buses to  
41 clarify that the law applies to buses transporting nonpublic as well as  
42 public school pupils. The bill also specifies that the requirement  
43 applies to any agency operating school buses and to those school buses  
44 which were originally designed to carry 10 or more passengers. Under  
45 the bill, school bus operators would have 60 days after the bill is  
46 signed into law to provide the Commissioner of Education with a list

**S790 MATHEUSSEN, PALAIA**

4

1 of vehicles and an indication as to whether each vehicle is currently  
2 equipped with a crossing control arm. A section of the statute  
3 requiring the State Board of Education to adopt rules and regulations  
4 has been determined to be unnecessary and is repealed.

# SENATE, No. 790

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 2, 1998

**Sponsored by:**

**Senator JOHN J. MATHEUSSEN**

**District 4 (Camden and Gloucester)**

**Senator JOSEPH A. PALAIA**

**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senators Cafiero, Turner, Sacco and Assemblyman Geist**

**SYNOPSIS**

Clarifies requirement that school buses are to be equipped with crossing control arms.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 7/31/1998)**

1 AN ACT concerning crossing control arms on school buses, amending  
2 P.L.1996, c.96 and repealing section 4 of P.L.1996, c.96.

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

6  
7 1. Section 1 of P.L.1996, c. 96 (C.39:3B-1.1) is amended to read  
8 as follows:

9 1. Every school bus as defined under R.S.39:1-1, which was  
10 originally designed to carry 10 or more passengers and which is in  
11 operation on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et  
12 seq.)] August 6, 1996, transporting public and nonpublic school pupils  
13 and every new or used such school bus purchased on or after [the  
14 effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.) used to  
15 transport pupils pursuant to N.J.S.18A:39-1 et seq. , including buses  
16 used to transport all nonpublic school pupils,] that date to transport  
17 public and nonpublic school pupils shall be equipped with a crossing  
18 control arm at the right front corner of the bus. In each year  
19 subsequent to [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et  
20 seq.)] August 6, 1996, 50 percent of all school bus fleets in operation  
21 on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.)] that  
22 date owned by any agency, a board of education, a nonpublic school  
23 or a school bus contractor not already equipped with a crossing  
24 control arm shall be so equipped, provided[, however] that each  
25 vehicle used to transport elementary school students shall be given  
26 priority to be equipped with a crossing control arm in the first year  
27 following [the effective date] August 6, 1996. The arm shall open  
28 and extend out from the front of the bus at least 5 1/2 feet each time  
29 the bus door is opened.

30 (cf: P.L.1996, c.96, s.1)

31

32 2. Section 2 of P.L.1996, c.96 (C.39:3B-1.2) is amended to read  
33 as follows:

34 2. Each agency, school district and nonpublic school that owns and  
35 operates its own school buses and each school bus contractor that  
36 **[provides transportation services pursuant to N.J.S.18A:39-1]**  
37 operates school buses, as defined in section 1 of P.L.1996, c.96  
38 (C.39:3B-1.1), shall receive reimbursement from the Department of  
39 Education in an amount up to, but not to exceed, \$300 per bus for  
40 retrofitting those school buses in operation on [the effective date of  
41 P.L.1996, c.96 (C.39:3B-1.1 et seq.)] August 6, 1996, and an amount  
42 up to, but not to exceed, \$200 per bus for buses put into operation

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

**Matter underlined thus is new matter.**



1 after that date for the cost of including the crossing control arm on  
2 those buses. If any agency, school district, nonpublic school or  
3 school bus contractor chooses to equip more than 50 percent of its  
4 school buses in any one year, it shall receive a maximum  
5 reimbursement for 50 percent of its school buses for that year.  
6 Reimbursement for retrofitting more than 50 percent of its school  
7 buses will be paid in the subsequent year based on a schedule to be  
8 determined by the commissioner, not to exceed two years.  
9 (cf: P.L.1996, c.96, s.2)

10

11 3. Section 3 of P.L.1996, c.96 (C.39:3B-1.3) is amended to read  
12 as follows:

13 3. **[Within]** No later than 60 days **[of]** after the effective date of  
14 **[P.L.1996, c.96]** P.L. , c.  (C.39:3B-1.1 et seq.) (now pending  
15 before the Legislature as this bill), each agency, board of education  
16 nonpublic school and school bus contractor shall submit to the  
17 Commissioner of Education a list of all vehicles, as defined in section  
18 1 of P.L.1996, c.96 (C.39:3B-1.1), that are used to transport students  
19 **[pursuant to N.J.S.18A:39-1]** on **[the effective date of P.L.1996, c.96**  
20 **(C.39:3B-1.1 et seq.)]** August 6, 1996, including: the vehicle serial  
21 number; the year, make and license plate number as noted on the  
22 vehicle registration; and an indication as to whether the vehicle is  
23 currently equipped with a crossing control arm.

24 The owners of such vehicles may apply for reimbursement through  
25 the Department of Education in accordance with section 2 of  
26 P.L.1996, c.96 (C.39:3B-1.2) on an application form as the  
27 Commissioner of Education shall prescribe. The application shall be  
28 accompanied by a receipt for the purchase of the crossing control arm  
29 through an authorized dealer.

30 (cf: P.L.1996, c.96, s.3)

31

32 4. Section 4 of P.L.1996, c.96 (C.39:3B-1.4) is repealed.

33

34 5. This act shall take effect immediately.

35

36

37

#### STATEMENT

38

39 This bill amends the statute, approved on August 6, 1996, that  
40 requires the installation of crossing control arms on school buses to  
41 clarify that the law applies to buses transporting nonpublic as well as  
42 public school pupils. The bill also specifies that the requirement  
43 applies to any agency operating school buses and to those school buses  
44 which were originally designed to carry 10 or more passengers. Under  
45 the bill, school bus operators would have 60 days after the bill is  
46 signed into law to provide the Commissioner of Education with a list

**S790 MATHEUSSEN, PALAIA**

4

1 of vehicles and an indication as to whether each vehicle is currently  
2 equipped with a crossing control arm. A section of the statute  
3 requiring the State Board of Education to adopt rules and regulations  
4 has been determined to be unnecessary and is repealed.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 790**

**STATE OF NEW JERSEY**

DATED: JULY 27, 1998

The Assembly Education Committee favorably reports Senate Bill No. 790.

This bill amends the statute, approved on August 6, 1996, that requires the installation of crossing control arms on school buses to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

As reported by committee, this bill is identical to Assembly Bill No. 2147.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 790**

**STATE OF NEW JERSEY**

DATED: MAY 14, 1998

The Senate Education Committee reports favorably Senate Bill No. 790.

This bill amends the statute, approved on August 6, 1996, that requires the installation of crossing control arms on school buses to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

# LEGISLATIVE FISCAL ESTIMATE

## **SENATE, No. 790**

# **STATE OF NEW JERSEY**

## **208th LEGISLATURE**

DATED: JUNE 24, 1998

Senate Bill No. 790 of 1998 amends the statute that requires the installation of crossing control arms on school buses, approved on August 6, 1996, to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

The Department of Education indicated that it would cost approximately \$340,000 to reimburse agencies and nonpublic schools for the installation of crossing control arms on the 1,000 vehicles (at \$300 each bus) that were in operation on August 6, 1996 to transport nonpublic school students, and the approximately 100 school buses that were purchased during the 1997-98 school year and the estimated 100 buses that will be purchased for the 1998-99 school year (at \$200 each bus). The department believes that there will be sufficient funds in the State Aid School Bus Crossing Arms account to absorb the estimated \$340,000 that would be needed to provide the reimbursements. Therefore, the enactment of this bill would not result in any additional costs to the State.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

**ASSEMBLY, No. 2147**

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

INTRODUCED JUNE 1, 1998

**Sponsored by:**

**Assemblyman GEORGE F. GEIST**

**District 4 (Camden and Gloucester)**

**SYNOPSIS**

Clarifies requirement that school buses are to be equipped with crossing control arms.

**CURRENT VERSION OF TEXT**

As introduced.



A2147 GEIST

2

1 AN ACT concerning crossing control arms on school buses, amending  
2 P.L.1996, c.96 and repealing section 4 of P.L.1996, c.96.

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13 and every new or used such school bus purchased on or after [the  
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15 transport pupils pursuant to N.J.S.18A:39-1 et seq. , including buses  
16 used to transport all nonpublic school pupils,] that date to transport  
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19 subsequent to [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et  
20 seq.)] August 6, 1996, 50 percent of all school bus fleets in operation  
21 on [the effective date of P.L.1996, c.96 (C.39:3B-1.1 et seq.)] that  
22 date owned by any agency, a board of education, a nonpublic school  
23 or a school bus contractor not already equipped with a crossing  
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25 vehicle used to transport elementary school students shall be given  
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27 following [the effective date] August 6, 1996. The arm shall open  
28 and extend out from the front of the bus at least 5 1/2 feet each time  
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30 (cf: P.L.1996, c.96, s.1)

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**Matter underlined thus is new matter.**

1 after that date for the cost of including the crossing control arm on  
2 those buses. If any agency, school district, nonpublic school or  
3 school bus contractor chooses to equip more than 50 percent of its  
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6 Reimbursement for retrofitting more than 50 percent of its school  
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17 Commissioner of Education a list of all vehicles, as defined in section  
18 1 of P.L.1996, c.96 (C.39:3B-1.1), that are used to transport students  
19 **[pursuant to N.J.S.18A:39-1]** on **[the effective date of P.L.1996, c.96**  
20 **(C.39:3B-1.1 et seq.)]** August 6, 1996, including: the vehicle serial  
21 number; the year, make and license plate number as noted on the  
22 vehicle registration; and an indication as to whether the vehicle is  
23 currently equipped with a crossing control arm.

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25 the Department of Education in accordance with section 2 of  
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27 Commissioner of Education shall prescribe. The application shall be  
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29 through an authorized dealer.

30 (cf: P.L.1996, c.96, s.3)

31

32 4. Section 4 of P.L.1996, c.96 (C.39:3B-1.4) is repealed.

33

34 5. This act shall take effect immediately.

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#### STATEMENT

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39 This bill amends the statute, approved on August 6, 1996, that  
40 requires the installation of crossing control arms on school buses to  
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42 public school pupils. The bill also specifies that the requirement  
43 applies to any agency operating school buses and to those school buses  
44 which were originally designed to carry 10 or more passengers. Under  
45 the bill, school bus operators would have 60 days after the bill is  
46 signed into law to provide the Commissioner of Education with a list



**A2147 GEIST**

4

1 of vehicles and an indication as to whether each vehicle is currently  
2 equipped with a crossing control arm. A section of the statute  
3 requiring the State Board of Education to adopt rules and regulations  
4 has been determined to be unnecessary and is repealed.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2147**

**STATE OF NEW JERSEY**

DATED: JULY 27, 1998

The Assembly Education Committee favorably reports Assembly Bill No.2147.

This bill amends the statute, approved on August 6, 1996, that requires the installation of crossing control arms on school buses to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

As reported by committee, this bill is identical to Senate Bill No.790.

# LEGISLATIVE FISCAL ESTIMATE

## ASSEMBLY, No. 2147

# STATE OF NEW JERSEY

## 208th LEGISLATURE

DATED: AUGUST 18, 1998

Assembly Bill No. 2147 of 1998 amends the statute that requires the installation of crossing control arms on school buses, approved on August 6, 1996, to clarify that the law applies to buses transporting nonpublic as well as public school pupils. The bill also specifies that the requirement applies to any agency operating school buses and to those school buses which were originally designed to carry 10 or more passengers. Under the bill, school bus operators would have 60 days after the bill is signed into law to provide the Commissioner of Education with a list of vehicles and an indication as to whether each vehicle is currently equipped with a crossing control arm. A section of the statute requiring the State Board of Education to adopt rules and regulations has been determined to be unnecessary and is repealed.

The Department of Education indicated that it would cost approximately \$340,000 to reimburse agencies and nonpublic schools for the installation of crossing control arms on the 1,000 vehicles (at \$300 per bus) that were in operation on August 6, 1996 to transport nonpublic school students, and the approximately 100 school buses that were purchased during the 1997-98 school year and the estimated 100 buses that will be purchased for the 1998-99 school year (at \$200 per bus). The department believes that there will be sufficient funds in the State Aid School Bus Crossing Arms account to absorb the estimated \$340,000 that would be needed to provide the reimbursements. Therefore, the enactment of this bill would not result in any additional costs to the State.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

*Office of the Governor*  
**NEWS RELEASE**

PO BOX 004  
TRENTON, NJ 08625

CONTACT: Jayne O'Connor  
609-777-2600

RELEASE: August 14, 1998

Gov. Christie Whitman today signed the following pieces of legislation:

**S-378**, sponsored by Senator Gerald Cardinale (R-Bergen) and Assembly Members Christopher "Kip" Bateman (R-Morris/Somerset) and Neil M. Cohen (D-Union), authorizes the creation of single member limited liability companies (L.L.Cs.). Similar to corporations, L.L.Cs. are business organizations that offer owners protection from personal liability, but avoid double taxation. Previous law required that a limited liability company have two or more members.

**S-790**, sponsored by Senators John J. Matheussen (R-Camden/Gloucester), Joseph A. Palaia (R-Monmouth) and Shirley K. Turner (D-Mercer), and Assembly Member George F. Geist (R-Camden/Gloucester), clarifies the 1996 law requiring all school buses to be equipped with crossing control arms to remedy an oversight regarding reimbursement of costs for owners and operators of buses transporting non-public school children. The law requiring all school buses to be equipped with a crossing arm authorizes reimbursement of costs by the state Department of Education. However, non-public schools and other transportation agencies and organizations were not included in the section of the law which authorized reimbursement of costs.