

**27:1A-65; 27:1A-67 and 27:1A-74  
LEGISLATIVE HISTORY CHECKLIST**

Compiled by the NJ State Law Library

**LAWS OF:** 2020                    **CHAPTER:** 64

**NJSA:** 27:1A-65; 27:1A-67 and 27:1A-74 (Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.)

**BILL NO:** A2456                    (Substituted for S1563)

**SPONSOR(S)** Daniel R. Benson and others

**DATE INTRODUCED:** 2/3/2020

**COMMITTEE:**                    **ASSEMBLY:** Transportation & Independent Authorities

**SENATE:** Transportation

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** 6/18/2020

**SENATE:** 6/29/2020

**DATE OF APPROVAL:** 8/12/2020

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (First Reprint enacted)                    Yes

**A2456**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** 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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    Yes

**S1563**

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    Yes

**VETO MESSAGE:**                    No

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

Yes

**FOLLOWING WERE PRINTED:**

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:**

No

**NEWSPAPER ARTICLES:**

No

**Also, of possible interest:**

Committee meeting of Senate Select Committee on New Jersey Transit: the Committee will take testimony from invited guests on best practices of transit agencies for providing service to persons with disabilities

[January 16, 2020, Trenton, New Jersey]

Call number: 974.90 T764, 2020a

Available online at <https://dspace.njstatelib.org/handle/10929/56651>

RWH/CL

P.L. 2020, CHAPTER 64, *approved August 12, 2020*  
Assembly, No. 2456 (*First Reprint*)

1 AN ACT concerning motor bus and rail passenger discounted fare  
2 program eligibility and amending P.L.1973, c.126 and P.L.1987,  
3 c.99.

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

7  
8 1. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to  
9 read as follows:

10 2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.),  
11 unless the context clearly indicates otherwise:

12 “Access Link service” means the paratransit service implemented  
13 by the New Jersey Transit Corporation for the purposes of  
14 complying with the "Americans with Disabilities Act of 1990,"  
15 Pub.L.101-336 (42 U.S.C. s.12101 et seq.).

16 "Carrier" means any individual, copartnership, association,  
17 corporation, joint stock company, public agency, trustee, or receiver  
18 operating motor buses or rail passenger service on established  
19 routes within this State or between points in this State and points in  
20 adjacent states.

21 "Commissioner" means the Commissioner of Transportation;  
22 provided, however, that the commissioner may delegate any of the  
23 commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-  
24 64 et seq.) to any subordinate division, agency, or employee of the  
25 Department of Transportation or to the New Jersey Transit  
26 Corporation.

27 "Disabled veteran" means "disabled veteran" as defined in  
28 N.J.S.11A:5-1.

29 "Motor bus" means "autobus" as defined in R.S.48:4-1, and  
30 includes those autobuses, commonly called jitneys, as defined in  
31 R.S.48:16-23.

32 "Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and  
33 from 7 p.m. to 6 a.m. during the weekdays, and all day on  
34 Saturdays, Sundays, and holidays.

35 "Person with disabilities" means any individual who, by reason  
36 of illness, injury, age, congenital malfunction, or other permanent  
37 or temporary incapacity or disability, is unable without special  
38 facilities or special planning or design to utilize mass transportation  
39 facilities and services as effectively as persons who are not so  
40 affected. A “person with disabilities” shall include a person  
41 determined by the New Jersey Transit Corporation to be eligible for  
42 its Access Link service.

**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:

<sup>1</sup>Assembly ATR committee amendments adopted June 8, 2020.

1 "Senior citizen" means any individual 62 years of age or over.  
2 (cf: P.L.2017, c.131, s.107)

3  
4 2. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to  
5 read as follows:

6 4. In establishing this program, the commissioner shall, after  
7 consulting with the Commissioner of Community Affairs, the  
8 <sup>1</sup>~~Deputy Commissioner~~ Director<sup>1</sup> of the Division of Aging  
9 Services in the Department of Human Services, and the Board of  
10 Public Utilities, establish uniform procedures for:

11 a. Determining the eligibility of persons to receive the reduced  
12 fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.),  
13 which shall include those persons determined by the New Jersey  
14 Transit Corporation to be eligible for its Access Link service;

15 b. Making reduced fares available to eligible persons; and

16 c. Auditing and accounting to insure that no carrier receives  
17 payments in excess of the value of services actually rendered to  
18 senior citizens, persons with disabilities, and disabled veterans  
19 pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).

20 (cf: P.L.2017, c.131, s.109)

21  
22 3. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read  
23 as follows:

24 2. The Commissioner of Transportation shall, after consulting  
25 with other relevant departments and agencies, adopt reasonable  
26 regulations necessary to carry out the purposes of P.L.1987, c.99  
27 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure  
28 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall  
29 include a procedure by which the commissioner shall:

30 a. issue an identification card <sup>1</sup>~~to a travel attendant~~<sup>1</sup>, upon  
31 certification of a physician or upon certification of another person  
32 as prescribed by the commissioner, that a person with disabilities  
33 requires the assistance of a travel attendant in order to use public  
34 transportation; and

35 b. automatically issue an identification card to a person  
36 determined by the New Jersey Transit Corporation, after the  
37 effective date of P.L. , c. (C. ) (pending before the  
38 Legislature as this bill), to be eligible for its Access Link service at  
39 the time of that determination. For a person determined eligible for  
40 Access Link service prior to the effective date of  
41 P.L. , c. (C. ) (pending before the Legislature as this bill),  
42 the commissioner shall issue an identification card within 60 days  
43 after the effective date of P.L. , c. (C. ) (pending before the  
44 Legislature as this bill) or <sup>1</sup>~~if upon request from an eligible~~  
45 person,<sup>1</sup> immediately upon request <sup>1</sup>~~of the eligible person,~~  
46 whichever shall be earlier<sup>1</sup>.

47 (cf: P.L.2017, c.131, s.114)

48  
49 4. This act shall take effect immediately.

**A2456 [1R]**

3

1

2

3

4

5

---

Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.

# ASSEMBLY, No. 2456

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

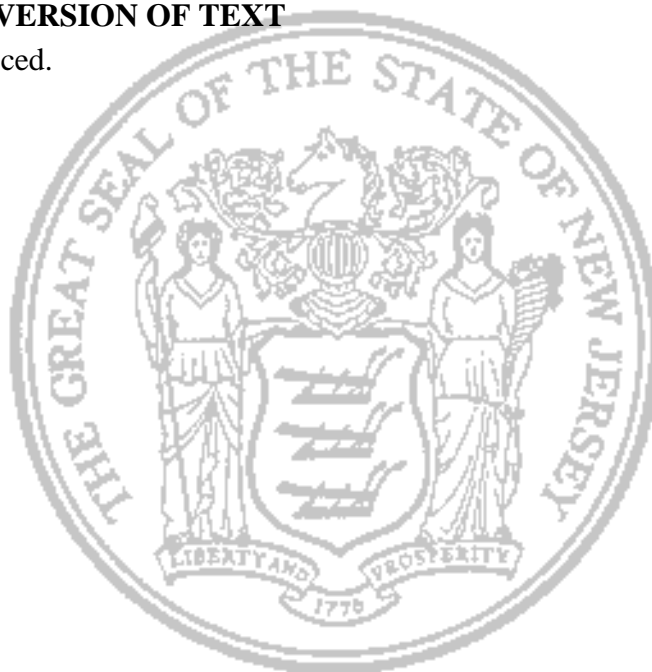
**Assemblyman Wimberly**

**SYNOPSIS**

Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/8/2020)**

A2456 BENSON, MURPHY

2

1 AN ACT concerning motor bus and rail passenger discounted fare  
2 program eligibility and amending P.L.1973, c.126 and P.L.1987,  
3 c.99.

4

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

7

8 1. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to  
9 read as follows:

10 2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.),  
11 unless the context clearly indicates otherwise:

12 “Access Link service” means the paratransit service implemented  
13 by the New Jersey Transit Corporation for the purposes of  
14 complying with the "Americans with Disabilities Act of 1990,"  
15 Pub.L.101-336 (42 U.S.C. s.12101 et seq.).

16 "Carrier" means any individual, copartnership, association,  
17 corporation, joint stock company, public agency, trustee, or receiver  
18 operating motor buses or rail passenger service on established  
19 routes within this State or between points in this State and points in  
20 adjacent states.

21 "Commissioner" means the Commissioner of Transportation;  
22 provided, however, that the commissioner may delegate any of the  
23 commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-  
24 64 et seq.) to any subordinate division, agency, or employee of the  
25 Department of Transportation or to the New Jersey Transit  
26 Corporation.

27 "Disabled veteran" means "disabled veteran" as defined in  
28 N.J.S.11A:5-1.

29 "Motor bus" means "autobus" as defined in R.S.48:4-1, and  
30 includes those autobuses, commonly called jitneys, as defined in  
31 R.S.48:16-23.

32 "Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and  
33 from 7 p.m. to 6 a.m. during the weekdays, and all day on  
34 Saturdays, Sundays, and holidays.

35 "Person with disabilities" means any individual who, by reason  
36 of illness, injury, age, congenital malfunction, or other permanent  
37 or temporary incapacity or disability, is unable without special  
38 facilities or special planning or design to utilize mass transportation  
39 facilities and services as effectively as persons who are not so  
40 affected. A “person with disabilities” shall include a person  
41 determined by the New Jersey Transit Corporation to be eligible for  
42 its Access Link service.

43 "Senior citizen" means any individual 62 years of age or over.  
44 (cf: P.L.2017, c.131, s.107)

45

46 2. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to  
47 read as follows:

**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       4. In establishing this program, the commissioner shall, after  
2 consulting with the Commissioner of Community Affairs, the  
3 Deputy Commissioner of the Division of Aging Services in the  
4 Department of Human Services, and the Board of Public Utilities,  
5 establish uniform procedures for:

6       a. Determining the eligibility of persons to receive the reduced  
7 fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.),  
8 which shall include those persons determined by the New Jersey  
9 Transit Corporation to be eligible for its Access Link service;

10       b. Making reduced fares available to eligible persons; and

11       c. Auditing and accounting to insure that no carrier receives  
12 payments in excess of the value of services actually rendered to  
13 senior citizens, persons with disabilities, and disabled veterans  
14 pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).  
15 (cf: P.L.2017, c.131, s.109)

16

17       3. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read  
18 as follows:

19       2. The Commissioner of Transportation shall, after consulting  
20 with other relevant departments and agencies, adopt reasonable  
21 regulations necessary to carry out the purposes of P.L.1987, c.99  
22 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure  
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall  
24 include a procedure by which the commissioner shall:

25       a. issue an identification card to a travel attendant upon  
26 certification of a physician or upon certification of another person  
27 as prescribed by the commissioner, that a person with disabilities  
28 requires the assistance of a travel attendant in order to use public  
29 transportation; and

30       b. automatically issue an identification card to a person  
31 determined by the New Jersey Transit Corporation, after the  
32 effective date of P.L. , c. (C. ) (pending before the  
33 Legislature as this bill), to be eligible for its Access Link service at  
34 the time of that determination. For a person determined eligible for  
35 Access Link service prior to the effective date of  
36 P.L. , c. (C. ) (pending before the Legislature as this bill),  
37 the commissioner shall issue an identification card within 60 days  
38 after the effective date of P.L. , c. (C. ) (pending before the  
39 Legislature as this bill) or, if upon request from an eligible person,  
40 immediately upon request.

41 (cf: P.L.2017, c.131, s.114)

42

43       4. This act shall take effect immediately.

44

45

46

STATEMENT

47

48       This bill provides that persons eligible for the Access Link  
49 paratransit service, operated by the New Jersey Transit Corporation



**A2456 BENSON, MURPHY**

4

1 (NJ Transit), are automatically eligible for the program providing  
2 motor bus and rail passenger service for senior citizens and persons  
3 with disabilities at reduced fares at certain times those services are  
4 offered. The bill requires a person eligible for Access Link service  
5 to be issued an identification card for reduced fare eligibility at the  
6 same time NJ Transit determines Access Link service eligibility. If  
7 a person has already been determined to be eligible for Access Link  
8 prior to the effective date of the bill, the person is to be issued an  
9 identification card within 60 days after the effective date of the bill  
10 or, if the person requests an identification card, immediately upon  
11 request.

ASSEMBLY TRANSPORTATION AND INDEPENDENT  
AUTHORITIES COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 2456**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 8, 2020

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 2456.

As amended and reported, this bill provides that persons eligible for the Access Link paratransit service, operated by the New Jersey Transit Corporation (NJ Transit), are automatically eligible for the program that provides motor bus and rail passenger service to senior citizens and persons with disabilities at reduced fares. The bill requires a person eligible for Access Link service to be issued an identification card for reduced fare eligibility at the same time NJ Transit determines Access Link service eligibility. If a person has already been determined to be eligible for Access Link prior to the effective date of the bill, the person is to be issued an identification card within 60 days after the effective date of the bill or immediately upon the request of the eligible person, whichever occurs earlier.

COMMITTEE AMENDMENTS

The committee amended the bill to clarify that an identification card for reduced fare eligibility is to be issued to the person eligible for the reduced fare and not to the person's travel attendant. The committee amendments also make proper reference to the Director of the Division of Aging Services in the Department of Human Services, make additional grammatical corrections, and provide that an identification card issued to a person determined eligible for Access Link paratransit service prior to the effective date of the bill is to be issued an identification card for reduced fare eligibility within 60 days after the bill's effective date or immediately upon request, whichever occurs earlier.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 2456

### STATE OF NEW JERSEY 219th LEGISLATURE

#### SUMMARY

DATED: JUNE 24, 2020

**Synopsis:** Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.

**Type of Impact:** Annual decreases in New Jersey Transit revenues and costs

**Agencies Affected:** New Jersey Transit Corporation

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>FY 2020 and Thereafter</u></b>
<b>NJ Transit Revenue Decrease</b>	Indeterminate
<b>NJ Transit Cost Decrease</b>	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will result in an indeterminate annual reduction in fare box revenue collections and an indeterminate decrease in costs for the provision of Access Link paratransit service, resulting in an indeterminate impact on New Jersey Transit Corporation's (NJ Transit) annual operating margin. Considering that the State provides an annual operating subsidy to balance NJ Transit's budget, any net increase or decrease in NJ Transit's operating margin will result in a corresponding increase or decrease in State costs through the annual State operating subsidy.
- Current law provides that seniors and disabled persons requiring assistance to use NJ Transit services are eligible to receive a reduced fare card that provides a fare discount of 50% or more compared to regular one-way fares. This bill deems eligible users of the Access Link program to be eligible for the reduced fare program by default and requires them to be provided the reduced fare discount card, likely increasing utilization of the reduced fare program.
- Access Link provides door-to-door paratransit service for persons with greater mobility needs than those that can be met on regular route bus and rail service. This service is substantially more expensive per passenger for NJ Transit to provide compared to regular route service, but the price of fares charged to users are the same as prices for regular route service. When eligible Access Link users utilize regular route service for their trips, NJ Transit realizes cost savings. As a result, any increase in utilization of regular route service by Access Link customers replacing Access Link trips will provide NJ Transit with operating cost savings in

excess of any reduction in fare revenue by providing those trips at reduced fares, resulting in a de minimus State cost increase or even possible decrease.

## **BILL DESCRIPTION**

This bill provides that persons eligible for the Access Link paratransit service, operated by NJ Transit, are automatically eligible for the program that provides motor bus and rail passenger service to senior citizens and persons with disabilities at reduced fares. The bill requires a person eligible for Access Link service to be issued an identification card for reduced fare eligibility at the same time NJ Transit determines Access Link service eligibility. If a person has already been determined to be eligible for Access Link prior to the effective date of the bill, the person is to be issued an identification card within sixty days after the effective date of the bill or immediately upon the request of the eligible person, whichever occurs earlier.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the bill will result in an indeterminate annual reduction in fare box revenue collections and an indeterminate decrease in costs for the provision of Access Link paratransit service, resulting in an indeterminate impact on NJ Transit's annual operating margin. Considering that the State provides an annual operating subsidy to balance NJ Transit's budget, any net increase or decrease in NJ Transit's operating margin will result in a corresponding increase or decrease in State costs through the annual State operating subsidy.

The bill will make it so that persons who qualify to participate in the Access Link program are automatically made eligible for and enrolled in the fare discount program for senior citizens and disabled persons. The fare discount reduces the cost of one way trips on regular route service by 50 percent or more depending upon the trip and timing. This provision likely will have no practical impact on the number of people potentially eligible for the fare discount program, because users of the Access Link program have to be disabled and generally includes the subset of users with the most serious mobility issues, because it provides trips that cannot be completed through regular route service. It would be a relatively unique situation for an eligible user of the Access Link program to not already be eligible for the fare discount program. The difference in users is more often the result of a different process to become eligible under each program. The fare discount program requires documentation from a doctor or provision of proof of age to a customer service office. Participating in Access Link requires an in-person interview with Access Link program staff. Some Access Link users participate in Access Link without ever knowing about the fare discount program because they do not utilize customer service offices and are less frequent users of regular route service.

By making Access Link users automatically eligible and signed up for the reduced fare program, it is likely to increase participation in the reduced fare program, by registering more people who were already eligible. This is also likely to result in a greater number of reduced fare trips taking place. Those new trips are likely to come from two sources. The first are regular route

trips by Access Link users who had not signed up for the reduced fare program due to a lack of knowledge about the program. These people will be paying reduced fare where previously they would have been paying full fare. The second type of new trips will come from current Access Link users who exclusively utilize Access Link and choose a reduced fare regular route trip over an Access Link trip.

The first type of trip will represent a loss in revenue to NJ Transit with no change in operating cost. The average revenue per rider per trip for bus service is \$2.68 in FY 2020 based on budget evaluation data, so each of these reduced fare trips is likely to cost NJ Transit approximately \$1.34 in lost revenue. The second type of trip is likely to result in a similar loss in revenue, because Access Link trips are charged the same fare as full fare regular route service, with no reduced fare discount. This second trip will result in significant cost savings, though. The cost of Access Link trips vary by geographic location in the State but the full statewide cost of the program is about \$40 per trip. A regular route bus trip on the other hand costs NJ Transit about \$6.67 per trip per rider based on FY 2020 budget data. This means that the second type of trip improves NJ Transit's operating margin by roughly \$32 per trip (\$40 cost avoided, less a \$6.67 new bus trip, less \$1.34 reduced revenue). This suggests that as long as there are at least one of these diverted Access Link trips for every 23 of the first type (full fare to reduced fare), NJ Transit will realize net savings.

It cannot be determined at this point how many of each type of trip will result from the new bill. Access Link provides about 2 million trips per year. The number of Access Link users that would newly be granted reduced fare cards under the bill is likely to be small as are the number of new trips by those users. As a result, the impact of the bill on NJ Transit's operating margin and the resultant State cost impact is indeterminate but likely less than \$1 million per year. Between a small Access Link user base, an even smaller number of people newly registered for reduced fare cards, the nature of Access Link users as having higher mobility needs, the small revenue loss per reduced fare trip of about \$1.34 per bus trip, and the possibility of offsetting cost gains from diverted Access Link trips, the impact may be much less than \$1 million per year. This amount compares to NJ Transit's operating budget of \$2.4 billion and fare box revenue of around \$1 billion.

*Section: Authorities, Utilities, Transportation and Communications*

*Analyst: Patrick Brennan  
Principal Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

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 (C.52:13B-6 et seq.).

**SENATE, No. 1563**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

**Senator Addiego**

**SYNOPSIS**

Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/8/2020)**

S1563 SCUTARI

2

1 AN ACT concerning motor bus and rail passenger discounted fare  
2 program eligibility and amending P.L.1973, c.126 and  
3 P.L.1987, c.99.

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

7  
8 1. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to  
9 read as follows:

10 2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.),  
11 unless the context clearly indicates otherwise:

12 “Access Link service” means the paratransit service implemented  
13 by the New Jersey Transit Corporation for the purposes of  
14 complying with the "Americans with Disabilities Act of 1990,"  
15 Pub.L.101-336 (42 U.S.C. s.12101 et seq.).

16 "Carrier" means any individual, copartnership, association,  
17 corporation, joint stock company, public agency, trustee, or receiver  
18 operating motor buses or rail passenger service on established  
19 routes within this State or between points in this State and points in  
20 adjacent states.

21 "Commissioner" means the Commissioner of Transportation;  
22 provided, however, that the commissioner may delegate any of the  
23 commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-  
24 64 et seq.) to any subordinate division, agency, or employee of the  
25 Department of Transportation or to the New Jersey Transit  
26 Corporation.

27 "Disabled veteran" means "disabled veteran" as defined in  
28 N.J.S.11A:5-1.

29 "Motor bus" means "autobus" as defined in R.S.48:4-1, and  
30 includes those autobuses, commonly called jitneys, as defined in  
31 R.S.48:16-23.

32 "Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and  
33 from 7 p.m. to 6 a.m. during the weekdays, and all day on  
34 Saturdays, Sundays, and holidays.

35 "Person with disabilities" means any individual who, by reason  
36 of illness, injury, age, congenital malfunction, or other permanent  
37 or temporary incapacity or disability, is unable without special  
38 facilities or special planning or design to utilize mass transportation  
39 facilities and services as effectively as persons who are not so  
40 affected. A “person with disabilities” shall include a person  
41 determined by the New Jersey Transit Corporation to be eligible for  
42 its Access Link service.

43 "Senior citizen" means any individual 62 years of age or over.  
44 (cf: P.L.2017, c.131, s.107)

**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.**

S1563 SCUTARI

3

1       2. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to  
2 read as follows:

3       4. In establishing this program, the commissioner shall, after  
4 consulting with the Commissioner of Community Affairs, the  
5 Deputy Commissioner of the Division of Aging Services in the  
6 Department of Human Services, and the Board of Public Utilities,  
7 establish uniform procedures for:

8       a. Determining the eligibility of persons to receive the reduced  
9 fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.),  
10 which shall include those persons determined by the New Jersey  
11 Transit Corporation to be eligible for its Access Link service;

12       b. Making reduced fares available to eligible persons; and

13       c. Auditing and accounting to insure that no carrier receives  
14 payments in excess of the value of services actually rendered to  
15 senior citizens, persons with disabilities, and disabled veterans  
16 pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).

17 (cf: P.L.2017, c.131, s.109)

18

19       3. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read  
20 as follows:

21       2. The Commissioner of Transportation shall, after consulting  
22 with other relevant departments and agencies, adopt reasonable  
23 regulations necessary to carry out the purposes of P.L.1987, c.99  
24 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure  
25 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall  
26 include a procedure by which the commissioner shall:

27       a. issue an identification card to a travel attendant upon  
28 certification of a physician or upon certification of another person  
29 as prescribed by the commissioner, that a person with disabilities  
30 requires the assistance of a travel attendant in order to use public  
31 transportation; and

32       b. automatically issue an identification card to a person  
33 determined by the New Jersey Transit Corporation, after the  
34 effective date of P.L. , c. (C. ) (pending before the  
35 Legislature as this bill), to be eligible for its Access Link service at  
36 the time of that determination. For a person determined eligible for  
37 Access Link service prior to the effective date of  
38 P.L. , c. (C. ) (pending before the Legislature as this bill),  
39 the commissioner shall issue an identification card within 60 days  
40 after the effective date of P.L. , c. (C. ) (pending before the  
41 Legislature as this bill) or, if upon request from an eligible person,  
42 immediately upon request.

43 (cf: P.L.2017, c.131, s.114)

44

45       4. This act shall take effect immediately.



**S1563 SCUTARI**

4

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

STATEMENT

This bill provides that persons eligible for the Access Link paratransit service, operated by the New Jersey Transit Corporation (NJ Transit), are automatically eligible for the program providing motor bus and rail passenger service for senior citizens and persons with disabilities at reduced fares at certain times those services are offered. The bill requires a person eligible for Access Link service to be issued an identification card for reduced fare eligibility at the same time NJ Transit determines Access Link service eligibility. If a person has already been determined to be eligible for Access Link prior to the effective date of the bill, the person is to be issued an identification card within 60 days after the effective date of the bill or, if the person requests an identification card, immediately upon request.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 1563**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 5, 2020

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 1563.

As amended and reported, this bill provides that persons eligible for the Access Link paratransit service, operated by the New Jersey Transit Corporation (NJ Transit), are automatically eligible for the program that provides motor bus and rail passenger service to senior citizens and persons with disabilities at reduced fares. The bill requires a person eligible for Access Link service to be issued an identification card for reduced fare eligibility at the same time NJ Transit determines Access Link service eligibility. If a person has already been determined to be eligible for Access Link prior to the effective date of the bill, the person is to be issued an identification card within 60 days after the effective date of the bill or immediately upon the request of the eligible person, whichever occurs earlier.

The committee amended the bill to clarify that an identification card for reduced fare eligibility is to be issued to the person eligible for the reduced fare and not to the person's travel attendant. The committee amendments also make proper reference to the Director of the Division of Aging Services in the Department of Human Services, make additional grammatical corrections, and provide that an identification card issued to a person determined eligible for Access Link paratransit service prior to the effective date of the bill is to be issued an identification card for reduced fare eligibility within 60 days after the bill's effective date or immediately upon request, whichever occurs earlier.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 1563 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JULY 6, 2020

### SUMMARY

- Synopsis:** Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.
- Type of Impact:** Annual decreases in New Jersey Transit revenues and costs
- Agencies Affected:** New Jersey Transit Corporation

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>New Jersey Transit Revenue Decrease</b>	Indeterminate
<b>New Jersey Transit Cost Decrease</b>	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will result in an indeterminate annual reduction in fare box revenue collections and an indeterminate decrease in costs for the provision of Access Link paratransit service, resulting in an indeterminate impact on New Jersey Transit Corporation's (NJ Transit) annual operating margin. Considering that the State provides an annual operating subsidy to balance NJ Transit's budget, any net increase or decrease in NJ Transit's operating margin will result in a corresponding increase or decrease in State costs through the annual State operating subsidy.
- Current law provides that seniors and disabled persons requiring assistance to use NJ Transit services are eligible to receive a reduced fare card that provides a fare discount of 50% or more compared to regular one-way fares. This bill deems eligible users of the Access Link program to be eligible for the reduced fare program by default and requires them to be provided the reduced fare discount card, likely increasing utilization of the reduced fare program.
- Access Link provides door-to-door paratransit service for persons with greater mobility needs than those that can be met on regular route bus and rail service. This service is substantially more expensive per passenger for NJ Transit to provide compared to regular route service, but the price of fares charged to users are the same as prices for regular route service. When

eligible Access Link users utilize regular route service for their trips, NJ Transit realizes cost savings. As a result, any increase in utilization of regular route service by Access Link customers replacing Access Link trips will provide NJ Transit with operating cost savings in excess of any reduction in fare revenue by providing those trips at reduced fares, resulting in a de minimus State cost increase or even possible decrease.

## **BILL DESCRIPTION**

This bill provides that persons eligible for the Access Link paratransit service, operated by NJ Transit, are automatically eligible for the program that provides motor bus and rail passenger service to senior citizens and persons with disabilities at reduced fares. The bill requires a person eligible for Access Link service to be issued an identification card for reduced fare eligibility at the same time NJ Transit determines Access Link service eligibility. If a person has already been determined to be eligible for Access Link prior to the effective date of the bill, the person is to be issued an identification card within sixty days after the effective date of the bill or immediately upon the request of the eligible person, whichever occurs earlier.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the bill will result in an indeterminate annual reduction in fare box revenue collections and an indeterminate decrease in costs for the provision of Access Link paratransit service, resulting in an indeterminate impact on NJ Transit's annual operating margin. Considering that the State provides an annual operating subsidy to balance NJ Transit's budget, any net increase or decrease in NJ Transit's operating margin will result in a corresponding increase or decrease in State costs through the annual State operating subsidy.

The bill will make it so that persons who qualify to participate in the Access Link program are automatically made eligible for and enrolled in the fare discount program for senior citizens and disabled persons. The fare discount reduces the cost of one way trips on regular route service by 50 percent or more depending upon the trip and timing. This provision likely will have no practical impact on the number of people potentially eligible for the fare discount program, because users of the Access Link program have to be disabled and generally includes the subset of users with the most serious mobility issues, because it provides trips that cannot be completed through regular route service. It would be a relatively unique situation for an eligible user of the Access Link program to not already be eligible for the fare discount program. The difference in users is more often the result of a different process to become eligible under each program. The fare discount program requires documentation from a doctor or provision of proof of age to a customer service office. Participating in Access Link requires an in-person interview with Access Link program staff. Some Access Link users participate in Access Link without ever knowing about the fare discount program because they do not utilize customer service offices and are less frequent users of regular route service.

By making Access Link users automatically eligible and signed up for the reduced fare program, it is likely to increase participation in the reduced fare program, by registering more people who were already eligible. This is also likely to result in a greater number of reduced fare trips taking place. Those new trips are likely to come from two sources. The first are regular route trips by Access Link users who had not signed up for the reduced fare program due to a lack of knowledge about the program. These people will be paying reduced fare where previously they would have been paying full fare. The second type of new trips will come from current Access Link users who exclusively utilize Access Link and choose a reduced fare regular route trip over an Access Link trip.

The first type of trip will represent a loss in revenue to NJ Transit with no change in operating cost. The average revenue per rider per trip for bus service is \$2.68 in FY 2020 based on budget evaluation data, so each of these reduced fare trips is likely to cost NJ Transit approximately \$1.34 in lost revenue. The second type of trip is likely to result in a similar loss in revenue, because Access Link trips are charged the same fare as full fare regular route service, with no reduced fare discount. This second trip will result in significant cost savings, though. The cost of Access Link trips vary by geographic location in the State but the full statewide cost of the program is about \$40 per trip. A regular route bus trip on the other hand costs NJ Transit about \$6.67 per trip per rider based on FY 2020 budget data. This means that the second type of trip improves NJ Transit's operating margin by roughly \$32 per trip (\$40 cost avoided, less a \$6.67 new bus trip, less \$1.34 reduced revenue). This suggests that as long as there are at least one of these diverted Access Link trips for every 23 of the first type (full fare to reduced fare), NJ Transit will realize net savings.

It cannot be determined at this point how many of each type of trip will result from the new bill. Access Link provides about 2 million trips per year. The number of Access Link users that would newly be granted reduced fare cards under the bill is likely to be small as are the number of new trips by those users. As a result, the impact of the bill on NJ Transit's operating margin and the resultant State cost impact is indeterminate but likely less than \$1 million per year. Between a small Access Link user base, an even smaller number of people newly registered for reduced fare cards, the nature of Access Link users as having higher mobility needs, the small revenue loss per reduced fare trip of about \$1.34 per bus trip, and the possibility of offsetting cost gains from diverted Access Link trips, the impact may be much less than \$1 million per year. This amount compares to NJ Transit's operating budget of \$2.4 billion and fare box revenue of around \$1 billion.

*Section: Authorities, Utilities, Transportation and Communications*

*Analyst: Patrick Brennan  
Principal Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

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 (C.52:13B-6 et seq.).

# Governor Murphy Signs Legislation Strengthening NJ TRANSIT's Access Link Paratransit Services

08/12/2020

**TRENTON** – Governor Phil Murphy today signed legislation (S362 and A2456) to further strengthen NJ TRANSIT's paratransit services for individuals with disabilities.

"We know that Access Link serves as a critical transportation resource for New Jerseyans with disabilities, who deserve reliable, efficient transit services," **said Governor Murphy**. "These improvements will further strengthen our public transportation network to ensure New Jersey's Access Link riders have a more equitable experience."

S362 would require NJ TRANSIT's Access Link services to operate during state of emergency if it is determined it can be done safely.

A2456 would require a person eligible for Access Link service to be issued an ID card for reduced fares at the same time that NJ TRANSIT determines Access Link service eligibility. Currently, customers who have been certified as needing to use Access Link paratransit service must apply separately if they want to use regular NJ TRANSIT services at the discounted rate for those with disabilities. Under the bill, if an individual is determined to be eligible for Access Link prior to the effective date, they would be issued an ID card within 60 days after the bill's effective date or immediately upon the eligible person's request.

Primary Sponsors of S362 include Senator Joe Cryan, and Assemblymembers Roy Freiman, Carol Murphy, and Christopher Tully.

"People with disabilities rely on Access Link for their basic transportation needs," **said Senator Joe Cryan**. "During emergencies, their reliance on this service is even more important. Access Link has proven to be a real success in serving a vital service for those who need it most. It will now be maintained in emergency conditions so those with disabilities are not left to fend for themselves."

**In a joint statement, Assemblymembers Freiman, Murphy, and Tully said:**

"Many rely on Access Link to be able to travel to work, day programs and to medical appointments or the hospital – even under a state of emergency. With this new law, all riders will be able to access transit services during a state of emergency, including those with disabilities."

Primary Sponsors of A2456 include Assemblymembers Daniel Benson, Carol Murphy, Valerie Vainieri Huttle, and Senator Nicholas Scutari.

**In a joint statement, Assemblymembers Benson, Murphy, and Vainieri Huttle said:**

Access Link serves our most vulnerable, including seniors and people with disabilities who would otherwise have difficulty using public transportation. Access Link riders usually are also eligible for NJ TRANSIT's reduced fare program and may not realize it. There's currently no coordination between these two programs, so riders often miss out. By linking the programs together so that recipients receive their ID card when they enroll in Access Link, we can ensure more people will take advantage of this important program."

"Many individuals who utilize Access Link's services are living on fixed incomes," **said Senator Nicholas Scutari**. "This piece of legislation allows riders to travel on bus and rail at a greatly discounted rate, greatly benefitting riders with disabilities who rely on public transportation as their main source of mobility."