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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

“Commuter van safety bills signed into law,” 1-25-07, Asbury Park Press, p.A3

“New law to protect commuter van riders,” 1-25-07, The Star Ledger, p.40

RWH 3/27/08

P.L. 2007, CHAPTER 13, *approved January 24, 2007*
Assembly, No. 2979 (*First Reprint*)

1 AN ACT revising certain penalties relating to the operation of
2 autobuses and amending R.S.48:4-3.

3

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

6

7 1. R.S.48:4-3 is amended to read as follows:

8 48:4-3. a. No autobus, charter bus operation or special bus
9 operation which is engaged, wholly or partly, in intrastate
10 commerce shall be operated or run while carrying passengers for
11 hire within the State of New Jersey unless there is in force with
12 respect to such operation a certificate of public convenience and
13 necessity issued by the ¹**【Commissioner of Transportation】** Chief
14 Administrator of the New Jersey Motor Vehicle Commission¹
15 authorizing such operation upon a determination that such operation
16 is in the public interest.

17 b. Any person who owns or causes to be operated or operates an
18 autobus without a valid certificate of public convenience and
19 necessity or in violation of the provisions thereof is subject to a
20 civil penalty **【for each day】** of **【operation in the following**
21 **amounts】**: **【\$500.00 per day】** \$500 for **【each of】** the first **【four**
22 **days】** violation, **【\$600.00 for the fifth day, \$700.00 for the sixth**
23 **day, \$800.00 for the seventh day, \$900.00 for the eighth day and**
24 **\$1,000.00 for the ninth day and \$1,000.00】** \$750 for **【each day**
25 **thereafter】** the second violation, and \$1,000 for the third and each
26 subsequent violation. Every day upon which a violation occurs
27 shall be considered a separate violation.

28 c. When any person violates the provisions of this section on
29 more than one occasion, the ¹**【commissioner】** chief administrator¹
30 may, by order, after notice and hearing, declare that person to be an
31 unfit operator and cause the revocation of any certificates of public
32 convenience and necessity issued to that person and declare that
33 that person shall have no standing to petition for any further
34 certificates. The ¹**【commissioner】** chief administrator¹ may stay or
35 revoke any order made under this subsection when ¹**【he】** the chief
36 administrator¹ finds it to be in the public interest to do so.

37 (cf: P.L.1987, c.452, s.2)

38

39 2. This act shall take effect ¹**【immediately】** on the first day of
40 the sixth month next following enactment but such anticipatory
41 administrative action may be taken as necessary to effectuate the
42 purposes of this act¹.

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:

¹Assembly ATR committee amendments adopted June 15, 2006.

A2979 [1R]

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Revises certain penalties relating to operation of autobuses.

ASSEMBLY, No. 2979

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MAY 11, 2006

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman KEVIN J. O'TOOLE

District 40 (Bergen, Essex and Passaic)

Assemblywoman JOAN M. VOSS

District 38 (Bergen)

Co-Sponsored by:

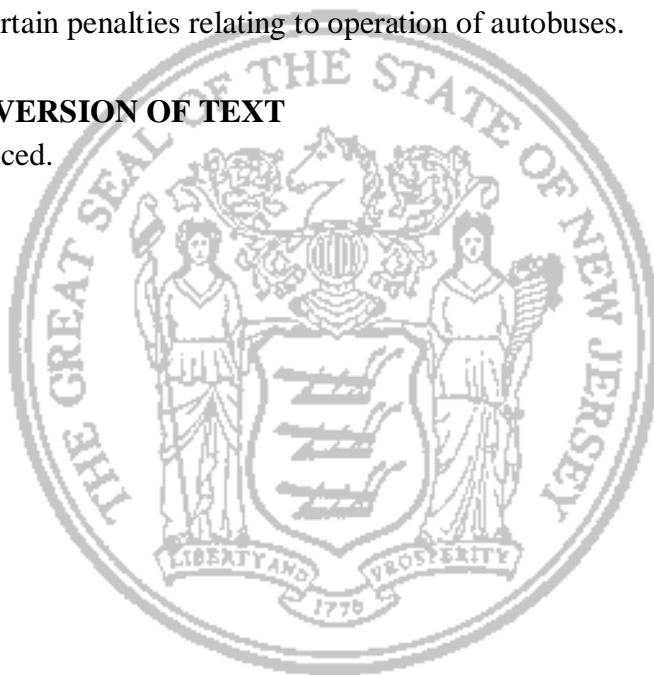
Assemblymen Diegnan and Fisher

SYNOPSIS

Revises certain penalties relating to operation of autobuses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/9/2006)

1 AN ACT revising certain penalties relating to the operation of
2 autobuses and amending R.S.48:4-3.

3

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

6

7 1. R.S.48:4-3 is amended to read as follows:

8 48:4-3. a. No autobus, charter bus operation or special bus
9 operation which is engaged, wholly or partly, in intrastate
10 commerce shall be operated or run while carrying passengers for
11 hire within the State of New Jersey unless there is in force with
12 respect to such operation a certificate of public convenience and
13 necessity issued by the Commissioner of Transportation authorizing
14 such operation upon a determination that such operation is in the
15 public interest.

16 b. Any person who owns or causes to be operated or operates an
17 autobus without a valid certificate of public convenience and
18 necessity or in violation of the provisions thereof is subject to a
19 civil penalty **[for each day]** of **[operation in the following**
20 **amounts]:** **[\$500.00 per day]** \$500 for **[each of]** the first **[four**
21 **days]** violation, **[\$600.00 for the fifth day, \$700.00 for the sixth**
22 **day, \$800.00 for the seventh day, \$900.00 for the eighth day and**
23 **\$1,000.00 for the ninth day and \$1,000.00]** \$750 for **[each day**
24 **thereafter]** the second violation, and \$1,000 for the third and each
25 subsequent violation. Every day upon which a violation occurs shall
26 be considered a separate violation.

27 c. When any person violates the provisions of this section on
28 more than one occasion, the commissioner may, by order, after
29 notice and hearing, declare that person to be an unfit operator and
30 cause the revocation of any certificates of public convenience and
31 necessity issued to that person and declare that that person shall
32 have no standing to petition for any further certificates. The
33 commissioner may stay or revoke any order made under this
34 subsection when he finds it to be in the public interest to do so.

35 (cf: P.L.1987, c.452, s.2)

36

37 2. This act shall take effect immediately.

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STATEMENT

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42 This bill revises the applicable penalties for operating an autobus
43 without a valid certificate of public convenience and necessity. A
44 certificate of public convenience and necessity is required to

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.

A2979 WISNIEWSKI, PRIETO

3

1 operate certain vehicles that are engaged in the transportation of
2 passengers for hire.

3 Currently, the law provides that any person who operates an
4 autobus without a valid certificate of public convenience and
5 necessity is subject to a civil penalty for each day of the violation in
6 the following manner: \$500 per day for each of the first four days,
7 \$600 for the fifth day, \$700 for the sixth day, \$800 for the seventh
8 day, \$900 for the eighth day, and \$1,000 for the ninth day and each
9 day thereafter. This bill revises that scheme to provide a penalty of
10 \$500 for the first violation, \$750 for the second violation, and
11 \$1,000 for the third and each subsequent violation. Every day upon
12 which a violation occurs is a separate violation.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2979

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 15, 2006

The Assembly Transportation and Public Works Committee releases favorably and with amendments Assembly Bill No. 2979.

As reported, this amended bill would revise the applicable penalties for operating an autobus without a valid certificate of public convenience and necessity. A certificate of public convenience and necessity is required to operate certain vehicles that are engaged in the transportation of passengers for hire.

Currently, the law provides that any person who operates an autobus without a valid certificate of public convenience and necessity is subject to a civil penalty for each day of the violation in the following manner: \$500 per day for each of the first four days, \$600 for the fifth day, \$700 for the sixth day, \$800 for the seventh day, \$900 for the eighth day, and \$1,000 for the ninth day and each day thereafter. This bill revises that scheme to provide a penalty of \$500 for the first violation, \$750 for the second violation, and \$1,000 for the third and each subsequent violation. Every day that a violation occurs would constitute a separate violation.

This amended bill will become effective on the first day of the sixth month following enactment to allow adequate time for implementation of the bill's provisions.

COMMITTEE AMENDMENTS

The committee amended the bill to change references to the Commissioner of Transportation to the Chief Administrator of the New Jersey Motor Vehicle Commission as the person responsible for issuing certificates of public convenience and necessity. The committee also amended the bill to become effective on the first day of the sixth month following enactment to allow time for implementation.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2979

STATE OF NEW JERSEY

DATED: OCTOBER 23, 2006

The Senate Transportation Committee favorably reports Assembly Bill No. 2979 (1R).

This bill would revise the applicable penalties for operating an autobus without a valid certificate of public convenience and necessity. A certificate of public convenience and necessity is required to operate certain vehicles that are engaged in the transportation of passengers for hire.

Currently, the law provides that any person who operates an autobus without a valid certificate of public convenience and necessity is subject to a civil penalty for each day of the violation in the following manner: \$500 per day for each of the first four days, \$600 for the fifth day, \$700 for the sixth day, \$800 for the seventh day, \$900 for the eighth day, and \$1,000 for the ninth day and each day thereafter. This bill revises that scheme to provide a penalty of \$500 for the first violation, \$750 for the second violation, and \$1,000 for the third and each subsequent violation. Every day that a violation occurs would constitute a separate violation.

This bill will become effective on the first day of the sixth month following enactment to allow adequate time for implementation of the bill's provisions.

This bill is identical to S-2165, released by the committee on the same day.

SENATE, No. 2165

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED SEPTEMBER 18, 2006

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senator Coniglio

SYNOPSIS

Revises certain penalties relating to operation of autobuses.

CURRENT VERSION OF TEXT

As introduced.



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2 autobuses and amending R.S.48:4-3.

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12 respect to such operation a certificate of public convenience and
13 necessity issued by the **[Commissioner of Transportation]** Chief
14 Administrator of the New Jersey Motor Vehicle Commission
15 authorizing such operation upon a determination that such operation
16 is in the public interest.

17 b. Any person who owns or causes to be operated or operates an
18 autobus without a valid certificate of public convenience and
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24 **\$1,000.00 for the ninth day and \$1,000.00]** \$750 for **[each day**
25 **thereafter]** the second violation, and \$1,000 for the third and each
26 subsequent violation. Every day upon which a violation occurs
27 shall be considered a separate violation.

28 c. When any person violates the provisions of this section on
29 more than one occasion, the **[commissioner]** chief administrator
30 may, by order, after notice and hearing, declare that person to be an
31 unfit operator and cause the revocation of any certificates of public
32 convenience and necessity issued to that person and declare that
33 that person shall have no standing to petition for any further
34 certificates. The **[commissioner]** chief administrator may stay or
35 revoke any order made under this subsection when **[he]** the chief
36 administrator finds it to be in the public interest to do so.

37 (cf: P.L.1987, c.452, s.2)

38

39 2. This act shall take effect on the first day of the sixth month
40 next following enactment but such anticipatory administrative
41 action may be taken as necessary to effectuate the purposes of this
42 act.

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.

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STATEMENT

This bill revises the applicable penalties for operating an autobus without a valid certificate of public convenience and necessity. A certificate of public convenience and necessity is required to operate certain vehicles that are engaged in the transportation of passengers for hire.

Currently, the law provides that any person who operates an autobus without a valid certificate of public convenience and necessity is subject to a civil penalty for each day of the violation in the following manner: \$500 per day for each of the first four days, \$600 for the fifth day, \$700 for the sixth day, \$800 for the seventh day, \$900 for the eighth day, and \$1,000 for the ninth day and each day thereafter. This bill revises that scheme to provide a penalty of \$500 for the first violation, \$750 for the second violation, and \$1,000 for the third and each subsequent violation. Every day upon which a violation occurs is a separate violation.

This bill will become effective on the first day of the sixth month following enactment to allow adequate time for implementation of the bill's provisions.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2165

STATE OF NEW JERSEY

DATED: OCTOBER 23, 2006

The Senate Transportation Committee favorably reports Senate Bill No. 2165.

This bill revises the applicable penalties for operating an autobus without a valid certificate of public convenience and necessity. A certificate of public convenience and necessity is required to operate certain vehicles that are engaged in the transportation of passengers for hire.

Currently, the law provides that any person who operates an autobus without a valid certificate of public convenience and necessity is subject to a civil penalty for each day of the violation in the following manner: \$500 per day for each of the first four days, \$600 for the fifth day, \$700 for the sixth day, \$800 for the seventh day, \$900 for the eighth day, and \$1,000 for the ninth day and each day thereafter. This bill revises that scheme to provide a penalty of \$500 for the first violation, \$750 for the second violation, and \$1,000 for the third and each subsequent violation. Every day upon which a violation occurs is a separate violation.

This bill will become effective on the first day of the sixth month following enactment to allow adequate time for implementation of the bill's provisions.

This bill is identical to A-2979 (1R), released by the committee on the same day.