

Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"School bus drivers to face penalties for leaving child on bus," The Press, May 5, 2007, p.C2

"Drivers face penalties if kids left on bus," Asbury Park Press, May 5, 2007, p.A3

"Stiffer penalties for bus drivers," Courier News, May 5, 2007, p.A-3

"School bus negligence law signed," The Philadelphia Inquirer, May 6, 2007, p.B6

RWH 4/24/08

P.L. 2007, CHAPTER 77, *approved May 4, 2007*
Senate, No. 328 (*First Reprint*)

1 AN ACT requiring school bus drivers to inspect bus for pupils
2 remaining and supplementing "School Bus Safety Act,"
3 P.L.2003, c.19 (C.18A:39-26 et seq.)
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. A school bus driver shall visually inspect the school bus to
9 which he is assigned at the end of the transportation route to
10 determine that no pupil has been left on the bus. For the purposes
11 of this act, "school bus" means every motor vehicle operated by, or
12 under contract with, a public or governmental agency, or religious
13 or other charitable organization or corporation, or privately
14 operated for compensation for the transportation of children to or
15 from school for secular or religious education, which complies with
16 the regulations of the Department of Education affecting school
17 buses, including "School Vehicle Type I" and "School Vehicle Type
18 II" as defined pursuant to R.S.39:1-1.
19

20 2. In the event that ¹, after notice and opportunity to be heard,¹ a
21 school bus driver is found to have left a pupil on the school bus at
22 the end of his route, his school bus endorsement shall be:

- 23 a. suspended for six months, for a first offense; or
24 b. permanently revoked, for a second offense.
25

26 3. In the event that a pupil, who was left on a bus by a school
27 bus driver at the end of the route, is harmed as a result of
28 foreseeable danger and the driver is found ¹, after notice and
29 opportunity to be heard,¹ to have acted with gross negligence, his
30 school bus endorsement shall be permanently revoked.
31

32 4. This act shall take effect ¹[on the first day of the third month
33 after enactment] immediately¹ .
34
35
36

37
38 Requires school bus drivers to inspect bus for pupils remaining
39 at end of route.

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 floor amendments adopted February 22, 2007.

SENATE, No. 328

STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

Senator Karcher

SYNOPSIS

Requires school bus drivers to inspect bus for pupils remaining at end of route.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 2/7/2006)

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13 or other charitable organization or corporation, or privately
14 operated for compensation for the transportation of children to or
15 from school for secular or religious education, which complies with
16 the regulations of the Department of Education affecting school
17 buses, including "School Vehicle Type I" and "School Vehicle Type
18 II" as defined pursuant to R.S.39:1-1.
19

20 2. In the event that a school bus driver is found to have left a
21 pupil on the school bus at the end of his route, his school bus
22 endorsement shall be:

- 23 a. suspended for six months, for a first offense; or
24 b. permanently revoked, for a second offense.
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26 3. In the event that a pupil, who was left on a bus by a school
27 bus driver at the end of the route, is harmed as a result of
28 foreseeable danger and the driver is found to have acted with gross
29 negligence, his school bus endorsement shall be permanently
30 revoked.
31

32 4. This act shall take effect on the first day of the third month
33 after enactment.
34
35

36 STATEMENT
37

38 This bill would require school bus drivers to inspect their buses
39 at the end of their routes to determine that no pupils have been left
40 on the bus. The bill defines "school bus" as a motor vehicle
41 operated by, or under contract with, a public or governmental
42 agency, or religious or other charitable organization or corporation,
43 or privately operated for compensation for the transportation of
44 children.

45 Under the bill, if a child is left on the bus, the driver's school bus
46 endorsement would be:

- 47 • suspended for six months, for a first offense; or
48 • permanently revoked, for a second offense.

S328 MADDEN, SWEENEY

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1 In addition, if a child who was left on the bus was harmed as a
2 result of foreseeable danger, and the bus driver was found to have
3 acted with gross negligence, the driver would have his school bus
4 endorsement permanently revoked on the first offense.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 328

STATE OF NEW JERSEY

DATED: JANUARY 22, 2007

The Assembly Education Committee favorably reports Senate Bill No. 328.

This bill would require a school bus driver to inspect his bus at the completion of each route to ensure that no pupils have been left on board. The bill defines "school bus" as a motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for compensation for the transportation of children.

The bill prescribes that the school bus endorsement for a driver who fails to detect a child at the end of a route would be suspended for six months for a first offense and permanently revoked for a second offense. A driver would have his school bus endorsement permanently revoked on the first offense if a child who was left on the bus was harmed as a result of foreseeable danger and the driver was found to have acted with gross negligence.

It is the committee's understanding that: the end of the school bus driver's route is the bus yard or any other designated location where the school bus is parked; and a school bus driver will have access to any available due process procedures prior to the revocation of the driver's endorsement.

As reported by committee, this bill is identical to Assembly Bill No.2728.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 328

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2006

This bill would require a school bus driver to inspect his bus at the completion of each route to ensure that no pupils have been left on board. The bill defines "school bus" as a motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for compensation for the transportation of children.

The bill prescribes that the school bus endorsement for a driver who fails to detect a child at the end of a route would be suspended for six months for a first offense and permanently revoked for a second offense. A driver would have his school bus endorsement permanently revoked on the first offense if a child who was left on the bus was harmed as a result of foreseeable danger and the driver was found to have acted with gross negligence.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO

SENATE, No. 328

with Assembly Floor Amendments
(Proposed By Assemblyman MAYER)

ADOPTED: FEBRUARY 22, 2007

These floor amendments provide: that prior to a determination that a school bus driver has left a pupil on the school bus at the end of his route or that the driver acted with gross negligence, the driver will be provided notice and an opportunity to be heard on the issue; and that the provisions of the bill will be effective immediately upon enactment as opposed to the first day of the third month after enactment.

ASSEMBLY, No. 2728

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MARCH 2, 2006

Sponsored by:

**Assemblyman DAVID R. MAYER
District 4 (Camden and Gloucester)**

Co-Sponsored by:

**Assemblymen Burzichelli, Diegnan, Assemblywoman Truitt, Assemblyman
Albano and Assemblywoman Lampitt**

SYNOPSIS

Requires school bus drivers to inspect bus for pupils remaining at end of route.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/9/2007)

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A2728 MAYER

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1 In addition, if a child who was left on the bus was harmed as a
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3 acted with gross negligence, the driver would have his school bus
4 endorsement permanently revoked on the first offense.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2728

STATE OF NEW JERSEY

DATED: JANUARY 22, 2007

The Assembly Education Committee favorably reports Assembly Bill No. 2728.

This bill would require a school bus driver to inspect his bus at the completion of each route to ensure that no pupils have been left on board. The bill defines "school bus" as a motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for compensation for the transportation of children.

The bill prescribes that the school bus endorsement for a driver who fails to detect a child at the end of a route would be suspended for six months for a first offense and permanently revoked for a second offense. A driver would have his school bus endorsement permanently revoked on the first offense if a child who was left on the bus was harmed as a result of foreseeable danger and the driver was found to have acted with gross negligence.

It is the committee's understanding that: the end of the school bus driver's route is the bus yard or any other designated location where the school bus is parked; and a school bus driver will have access to any available due process procedures prior to the revocation of the driver's endorsement.

As reported by committee, this bill is identical to Senate Bill No. 328.