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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]

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RWH/CL

P.L. 2020, CHAPTER 114, *approved October 30, 2020*
Senate, No. 2517 (*First Reprint*)

1 AN ACT concerning paratransit services, the establishment of
2 regional paratransit coordinating councils, ¹and¹ supplementing
3 Title 27 ¹[and Title 30]¹ of the Revised Statutes ¹[, and making
4 an appropriation]¹.

5

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

8

9 1. This act shall be known and may be cited as the “Paratransit
10 Services Improvement Act.”

11

12 2. The Legislature hereby finds and declares:

13 The current system for paratransit services is fragmented and
14 includes various providers from different levels of government as
15 well as from private enterprise in different regions, counties, and
16 service areas. The ultimate impact of the current system is poor
17 service, including but not limited to long trip times ¹[and] ¹poor
18 communication of trip status, and high costs.

19 Access Link, which is a program administered by the New Jersey
20 Transit Corporation that was established to enable the State to meet
21 the minimum standards of the federal “Americans with Disabilities
22 Act of 1990” (42 U.S.C. s.12101 et seq.), provides the majority of
23 paratransit trips in the State. The Access Link Program, which
24 ¹[has] uses contract providers with¹ a very high per trip cost,
25 should ¹restructure the program so that contract providers¹ serve as
26 a safety net for paratransit within the State, not as the primary
27 provider of paratransit services within the State as is currently the
28 case. Community organizations that provide paratransit services for
29 individuals with developmental disabilities have provided evidence
30 to the Legislature that certain paratransit services may be provided
31 ¹in a way¹ that ¹[are] is¹ objectively safer, ¹[have] has¹ shorter
32 average trip times, and ¹[cost] costs¹ less per passenger mile. The
33 average cost per trip for Access Link trips is, in many cases, triple
34 the cost of similar paratransit services. Accordingly, it should be an
35 objective of the State to direct service for regular and recurring
36 paratransit trips away from Access Link ¹contract providers¹, where
37 possible, and toward other providers, including those funded

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 September 24, 2020.

1 through the Department of Human Services and the Division of
2 Vocational Rehabilitation Services within the Department of Labor
3 and Workforce Development, to both improve the quality of service
4 and reduce costs ¹【, effectively using Access Link as a paratransit
5 provider of last resort】¹.

6 In addition to Access Link, county transit providers provide
7 paratransit services to senior citizens and individuals with
8 disabilities. The level of service available varies widely from
9 county to county and the source of State funding for these services,
10 the Casino Revenue Fund, has experienced reduced revenues in
11 recent years. Furthermore, organizations at the county level have
12 been charged by the New Jersey Transit Corporation with
13 developing local coordination transportation plans within each
14 county but ¹【often lack knowledge of best practices,】 these
15 organizations typically¹ do not coordinate regionally ¹【,】¹ and
16 many organizations do not have common platforms or systems for
17 requesting, sharing, and completing trips.

18 Direct administrative connections and coordination between
19 agencies and organizations that provide programs and services for
20 disabled persons, generally, and transit agencies that provide transit
21 trips for those individuals would assist the State in improving the
22 quality of service and reducing State costs.

23 Building these relationships will help the State, community
24 organizations, and transit agencies develop best practices for
25 providing paratransit services, which will lead to additional
26 improvements in the quality of services and additional reductions in
27 costs.

28 The current system is insufficient to meet the needs of persons
29 with disabilities in the State, including the use of routing software
30 that has proven to be wholly inadequate to serve the special needs
31 of the disabled community.

32 It is essential that the State improve coordination, share best
33 practices, advance proven models, and improve the efficiency of the
34 system.

35
36 3. For the purposes of P.L. , c. (C.) (pending before
37 the Legislature as this bill):

38 “Community organization” means an organization that provides
39 programs and services to persons with disabilities.

40 ¹“Corporation” means the New Jersey Transit Corporation.

41 “Corporation paratransit service” means the paratransit service
42 that is managed, administered, or provided directly through the New
43 Jersey Transit Corporation’s operating budget, as a part of the
44 Access Link program or any successor program to meet the
45 requirements of the “Americans with Disabilities Act of 1990” (42
46 U.S.C. s.12101 et seq.), and does not include services directly
47 provided by county transit agencies.¹

1 “County transit agency” means a transportation service
 2 organized under or in conjunction with a county government to
 3 provide trips to senior citizens and residents with disabilities under
 4 the "Senior Citizen and Disabled Resident Transportation
 5 Assistance Act," P.L.1983, c.578 (C.27:25-25 et seq.).

6 ¹“~~Division~~” ¹“Department” means, unless another meaning
 7 clearly applies, the ¹“~~Division of Developmental Disabilities in~~
 8 ~~the~~” ¹Department of Human Services.

9 “Paratransit provider” means any organization or entity that
 10 provides paratransit services, including State and local transit
 11 agencies, directly or through contract service, and community
 12 organizations that provide transportation trips, either directly or
 13 through a third party, funded by the Department of Human Services
 14 or the Division of Vocational Rehabilitation Services within the
 15 Department of Labor and Workforce Development.

16 “Paratransit service” means and includes any transportation
 17 service other than fixed route transportation service, except
 18 that¹~~“~~” ¹“paratransit service” does not include private or charter
 19 services provided by taxicabs, limousines, or transportation network
 20 companies.

21
 22 4. The corporation shall ensure that all ¹corporation¹
 23 paratransit service ¹“~~that it directly manages, administers, or~~
 24 ~~supports financially, including but not limited to Access Link~~
 25 ~~service,~~”¹ shall adhere to the following standards:

26 a. All ¹corporation¹ paratransit ¹“~~providers~~” ¹service¹ shall ¹be
 27 required by the corporation to¹ implement ¹“~~an open software~~
 28 ~~platform such that the customer’s user-interface and the trip~~
 29 ~~planning]~~ and utilize routing, scheduling, and dispatch¹ software
 30 ¹that¹ can interact with ¹“~~the platforms of]~~ comparable software
 31 used by most county transit agencies and¹ other paratransit
 32 providers, allowing a trip requested by a customer via the ¹Access
 33 Link Program’s¹ user interface to be fulfilled by ¹“~~a]~~ any¹
 34 paratransit provider that chooses to utilize a compatible ¹“~~platform]~~
 35 software package¹ without any additional action on the part of the
 36 customer. Specifically, the ¹“~~open software platform]~~ software
 37 package implemented and utilized by corporation paratransit service
 38 pursuant to this section¹ shall be interoperable with ¹Access Link
 39 trip brokerage software developed pursuant to subsection b. of this
 40 section and¹ software developed pursuant to ¹“~~subparagraph]~~
 41 paragraph¹ (1) of subsection b. of section 5 of P.L. , c. (C.)
 42 (pending before the Legislature as this bill).

43 b. ¹“~~The corporation shall structure the Access Link program~~
 44 ~~as a service of last resort.]~~”¹ In structuring the ¹Access Link¹
 45 program ¹“~~in this way]~~”, the corporation shall: (1) actively develop
 46 a methodology whereby customer trips can be tracked, and identify

1 any trips requested by customers that are regular and recurring in
2 nature; (2) track and document these regular and recurring trips by
3 pickup location, source of the request ¹~~such as~~ including¹ by
4 phone, website, or mobile application, and relevant regular or
5 recurring characteristics, ¹~~such as~~ including¹, but not limited to,
6 daily, weekly, monthly intervals, or several trips from a single
7 source or to a single destination; (3) make information about these
8 regular and recurring trips available to other paratransit providers in
9 the State, including county transit agencies and community
10 organizations that provide transportation service, either directly or
11 through a third party, funded by the Department of Human Services
12 or the Division of Vocational Rehabilitation Services within the
13 Department of Labor and Workforce Development; (4) develop a
14 system that allows county transit agencies and community
15 organizations that provide paratransit service to ¹voluntarily¹
16 compete to conduct these regular and recurring trips, which would
17 have otherwise been provided ¹by contract providers¹ under the
18 Access Link program, by establishing a new Access Link program
19 structure ¹under a brokerage model, which may include but not be
20 limited to the use of a trip scheduling software application,¹ where
21 the corporation is able to realize contract or operating cost savings
22 when it shifts requested regular and routine trips from ¹~~the~~
23 ~~primary~~ an¹ Access Link ¹contract¹ provider to a paratransit
24 provider that is able to provide these trips at a lower cost; (5)
25 develop a system that provides a payment equal to a portion of the
26 savings from the shifting of trips in paragraph (4) of this subsection
27 to the paratransit provider that provides the trips in place of the
28 Access link provider; and (6) shift trips out of the Access Link
29 program ¹~~entirely~~¹, and to other State agencies or entities if it is
30 found that a regular and recurring trip requested through the Access
31 Link program is better provided under a different program through
32 the Department of Human Services or the Department of Labor and
33 Workforce Development, especially those trip requests that would
34 not otherwise be eligible to be provided under the Access Link
35 program.

36 c. Following the effective date of P.L. , c. (C.)
37 (pending before the Legislature as this bill), the corporation shall
38 not enter into any contract, or exercise any option to extend an
39 existing contract, concerning the provision of Access Link service
40 unless the contract or option includes a provision that the fixed
41 costs of the contract or option shall be proportionately reduced to
42 reflect any reduction in the provision of regular and recurring trips
43 provided by the contractor that are subsequently fulfilled by another
44 paratransit provider. The corporation shall establish minimum
45 operating standards for any paratransit provider that may wish to
46 participate in this program to ensure that all applicable federal
47 standards are met by the paratransit provider and that adequate
48 safeguards are provided to customers.

1 d. The corporation shall utilize the paratransit best practices
2 training module developed pursuant to subsection b. of section 5 of
3 P.L. , c. (C.) (pending before the Legislature as this bill)
4 and the best practices training package developed pursuant to
5 subsection d. of section 5 of P.L. , c. (C.) (pending before
6 the Legislature as this bill)¹ in meeting the requirements of this
7 section. The corporation, when establishing the ¹**["open software**
8 **platform,]** corporation paratransit service software specifications¹
9 required pursuant to subsection a. of this section, shall ensure that
10 the ¹**["platform]** software package¹ is affordable for the corporation
11 to adopt and ¹**["easily implemented by]** easy to interface with¹ the
12 existing software used by¹ various paratransit providers that ¹**["will**
13 **utilize the software platform]** seek to compete for Access Link
14 trips¹.

15
16 5. a. (1) The ¹**["Division of Developmental Disabilities within**
17 **the Department of Human Services, in consultation with the]**¹ New
18 Jersey Transit Corporation, ¹in consultation with the Department of
19 Human Services,¹ shall develop and implement a paratransit best
20 practices pilot program.

21 (2) The ¹**["division]** corporation¹, in consultation with the
22 ¹**["New Jersey Transit Corporation]** department¹, shall select a
23 qualified community organization to assist it in developing and
24 implementing the pilot program. The qualified community
25 organization shall meet the following criteria:

26 (a) the organization shall operate a facility that provides
27 services to persons with intellectual or developmental disabilities;

28 (b) the organization shall directly provide paratransit services to
29 persons with disabilities with those services paid, in whole or in
30 part, by funds received from the Department of Human Services and
31 the Division of Vocational Rehabilitation Services within the
32 Department of Labor and Workforce Development;

33 (c) within the previous five years, the organization has received
34 a Federal Transit Administration grant awarded by and administered
35 through the New Jersey Transit Corporation for improvement to
36 paratransit services;

37 (d) during the previous five-year period, the organization has
38 demonstrated improvement in key performance metrics, including
39 average trip time, vehicle accidents, and cost per passenger mile for
40 paratransit services; and

41 (e) the organization provides transportation trips on a sufficient
42 scale, including at least 250 daily trips under normal operating
43 conditions.

44 b. Phase one of the pilot program shall include the following:

45 A training module for paratransit best practices shall be
46 developed jointly by the qualified community organization and the
47 New Jersey Transit Corporation ¹**["and subject to approval by the**

1 division in consultation with the department¹. The training
2 module shall include: (1) an integrated paratransit software package
3 that includes trip generation and scheduling, GPS directions for
4 drivers, a mobile application for users that allows for trip requests,
5 confirmation of trip requests, and trip status updates, and a trip
6 accounting system; (2) a driver safety system that includes
7 dashboard cameras, incident monitoring, and driver training; (3)
8 assistance in hiring staff if necessary to fully implement the
9 transportation system and train existing staff in the use of new
10 technologies and business processes; (4) a curriculum that educates
11 agencies about fleet management and specialized driver training for
12 the needs of paratransit users; (5) personalized agency culture
13 training; and (6) agency training on how to develop synergies
14 between optimal transportation practices and the other
15 programmatic needs of paratransit providers who provide
16 transportation trips funded by the Department of Human Services.

17 c. Phase two of the pilot program shall include the following:

18 The ¹division corporation, in consultation with the
19 department,¹ shall establish an application process where up to five
20 paratransit providers that provide transportation trips directly
21 funded by the Department of Human Services or the Division of
22 Vocational Rehabilitation Services within the Department of Labor
23 and Workforce Development are selected by the ¹division
24 corporation¹, in consultation with the qualified community
25 organization, to receive training in paratransit best practices from
26 the qualified community organization. When selecting service
27 providers to receive training, the ¹division corporation¹ shall
28 consider the cost for the paratransit provider to adopt these best
29 practices, which may include but is not necessarily limited to the
30 acquisition of new software, hiring of staff, and any necessary
31 changes in vehicle fleet composition as well as potential savings
32 that the paratransit provider will be likely to realize from reducing
33 average trip time, vehicle accidents, and cost per passenger mile by
34 adopting these best practices and the likelihood that those savings
35 could self-fund the adoption of the best practices. Any paratransit
36 providers selected to participate in the pilot program shall receive
37 training from the qualified community organization.

38 d. Phase three of the pilot program shall include the following:

39 (1) If the efficiencies realized by the paratransit providers that
40 received training in phase two are sufficient to justify widespread
41 adoption, then the ¹division and¹ corporation, in consultation
42 with ¹the department and¹ the qualified community organization,
43 shall expand the training program by further developing the module
44 into a best practices training package designed in a manner that
45 allows a paratransit provider to independently adopt the best
46 practices and software on its own, or in conjunction with assistance
47 provided generally through the paratransit coordinating councils
48 established in accordance with section 6 of P.L. , c. (C.)

1 (pending before the Legislature as this bill). It is intended that this
2 phase three training module shall allow for the eventual integration
3 of paratransit services throughout the State. Integration of
4 paratransit services shall mean the widespread adoption of the
5 software 'package' developed pursuant to phase one of the pilot
6 program, or similarly compatible software 'package', so that
7 requested trips by customers may be fulfilled, if possible, by any
8 applicable paratransit provider, and that paratransit providers shall
9 meet the minimum operating standards established by the New
10 Jersey Transit Corporation so that those paratransit providers may
11 compete for regular and routine Access Link trips under the revised
12 Access Link program as described in section 4 of P.L. ,
13 c. (C.) (pending before the Legislature as this bill).

14 If the efficiencies realized in phase two do not justify expansion
15 of the training program further, then the **'[division and]'**
16 corporation, in consultation with 'the department and' the qualified
17 community organization, shall determine an alternate method of
18 integrating paratransit services throughout the State in a manner
19 that allows paratransit providers that meet minimum operating
20 standards to compete for regular and routine Access Link trips
21 under the revised Access Link program as described in section 4 of
22 P.L. , c. (C.) (pending before the Legislature as this bill).

23 (2) The regional paratransit coordinating councils shall be
24 established in accordance with section 6 of P.L. , c. (C.)
25 (pending before the Legislature as this bill).

26 e. The New Jersey Transit Corporation shall utilize the
27 complete paratransit best practices training module, including the
28 associated software 'package', when making changes to **'[its]**
29 corporation' paratransit service **'[and the Access Link program]'** to
30 comply with the requirements of section 4 of P.L. , c. (C.)
31 (pending before the Legislature as this bill).

32 f. (1) The New Jersey Transit Corporation shall enter into a
33 contract with the qualified community organization that
34 compensates the qualified community organization for its costs in
35 developing the paratransit best practices training module as required
36 for phase one of the pilot program as established in subsection b. of
37 this section, and providing the training module as a publicly
38 available resource that can be utilized by other paratransit providers
39 in the State and used by the corporation for its own paratransit
40 services. If phases one and two of the pilot program are determined
41 to be successful, the corporation shall also enter into a contract with
42 the qualified community organization to further develop the training
43 module into a self-administered best practices training package as
44 required for phase three of the pilot program in subsection d. of this
45 section. The self-administered best practices training package shall
46 also be a publicly available resource that can be utilized by other
47 paratransit providers in the State and by the corporation for its own
48 paratransit services.

1 (2) The ¹**["division"] corporation**¹ shall enter into a contract with
2 the qualified community organization for the actual training of
3 agencies under the pilot program, which shall include performance
4 standards as the ¹**["division"] corporation**¹ shall deem appropriate to
5 ensure that the agencies being trained are adequately prepared to
6 implement safer, more efficient, user friendly, and customer-
7 focused transportation services.

8 (3) To the extent possible, the ¹**["division"] corporation**¹ shall
9 require paratransit providers being trained under the program to
10 first utilize operating savings resulting from adoption of the
11 paratransit best practices training pilot program to fund the costs of
12 software, staff, and equipment that may be required under the
13 program, and limiting the overall costs of the program.

14
15 6. a. There ¹**["is"] are**¹ hereby established ¹**["within the**
16 **Department of Human Services"]**¹ six separate regional paratransit
17 coordinating councils ¹**in furtherance of the purposes of P.L. _____,**
18 **c. (C. _____) (pending before the Legislature as this bill)**¹. The
19 regional paratransit coordinating councils shall be organized as
20 follows:

21 (1) one council shall cover the counties of Atlantic, Cape May,
22 Cumberland, Gloucester, and Salem;

23 (2) one council shall cover the counties of Burlington, Camden,
24 and Ocean;

25 (3) one council shall cover the counties of Mercer, Middlesex,
26 and Monmouth;

27 (4) one council shall cover the counties of Hunterdon, Sussex,
28 and Warren;

29 (5) one council shall cover the counties of Essex, Morris,
30 Somerset, and Union; and

31 (6) one council shall cover the counties of Bergen, Hudson, and
32 Passaic.

33 b. Each regional paratransit coordinating council shall have the
34 following members:

35 (1) one designee of the Director of the Division of
36 Developmental Disabilities in the Department of Human Services;

37 (2) one designee of the New Jersey Transit Corporation who
38 works on the Access Link program or the Senior Citizen and
39 Disabled Resident Transportation Assistance Program;

40 (3) one representative of any company or entity that has
41 contracted with the New Jersey Transit Corporation to provide
42 Access Link paratransit service within the region;

43 (4) one representative of each county ¹**office of aging**¹ within the
44 respective region to be chosen by the county executive director or
45 by the board of freeholders, as applicable;

46 (5) one representative of each county transportation agency or
47 other comparable entity within the respective region that provides

- 1 paratransit service for a county under the Senior Citizen and
2 Disabled Resident Transportation Assistance Program;
- 3 (6) one representative from each county chapter of the Arc of
4 New Jersey ¹, or a successor organization,¹ within the respective
5 region;
- 6 (7) one individual that represents one or more members of the
7 Alliance for the Betterment of Citizens with Disabilities ¹, or a
8 successor organization,¹ within the respective region;
- 9 (8) one representative of Community Access Unlimited ¹, or a
10 successor organization,¹ within the respective region;
- 11 (9) one representative of the New Jersey Association of
12 Community Providers ¹, or a successor organization,¹ within the
13 respective region; ¹**and**¹
- 14 (10) ¹**up to three additional appointees of the Director of the**
15 **Division of Developmental Disabilities to represent paratransit**
16 **providers within the region that provide the most passenger trips to**
17 **persons with disabilities]** one representative of the New Jersey
18 Council on Special Transportation, or a successor organization,
19 within the respective region;
- 20 (11) one representative of Easterseals New Jersey, or a successor
21 organization, within the respective region; and
- 22 (12) one representative within the respective region, to be
23 selected by the corporation in consultation with the department, of
24 providers of transportation services to senior citizens or to
25 individuals requiring transportation for health care services¹.
- 26 c. Each agency with an eligible representative of a regional
27 paratransit coordinating council provided in subsection b. of this
28 section shall submit information^{1,1} in a form and manner
29 determined by the ¹**Executive**¹ Director of the ¹**[Division of**
30 **Developmental Disabilities]** New Jersey Transit Corporation,¹ to
31 the ¹**executive**¹ director not later than 30 days following the
32 enactment of P.L. , c. (C.) (pending before the Legislature
33 as this bill) and on or before January 1 of each year thereafter
34 identifying the name and contact information for the person to
35 represent each respective agency. The term for each member on the
36 regional paratransit coordinating council shall be one year provided,
37 however, that any member may be selected to serve on the council
38 for subsequent terms at the discretion of the respective agency. The
39 ¹**executive**¹ director may appoint one member of each regional
40 paratransit coordinating council to serve as the chair of that council.
- 41 d. Each regional paratransit coordinating council shall meet not
42 less than quarterly, with the first meeting happening not less than 60
43 days following the enactment of P.L. , c. (C.) (pending
44 before the Legislature as this bill). The chair, in consultation with
45 the other members of the council, shall set meeting dates and shall
46 lead the coordination effort. The members shall serve without
47 compensation but may be reimbursed by the ¹**[division]**

1 corporation,¹ for reasonable expenses incurred in the execution of
2 their duties.

3 e. The purpose of the regional paratransit coordinating councils
4 is to exchange best practices among paratransit providers within the
5 State. Those best practices shall include but are not limited to
6 scheduling and routing, fleet maintenance, driver training, customer
7 communications, safety practices, and improving the customer
8 usability experience. The councils are also to establish a system to
9 exchange information among and between paratransit providers
10 ¹[and eventually open platform standards]¹ so that: (1) each
11 paratransit provider may provide basic information to its customers
12 about other paratransit service options within each respective
13 region; (2) paratransit providers may eventually share customer trip
14 requests amongst each other; and (3) a single platform may
15 eventually be developed that enables a paratransit user to visit a
16 single platform or place to request a trip, and that trip may be
17 distributed amongst the paratransit providers in a manner that
18 optimizes State cost and customer experience. The councils shall
19 also exchange budget information and investigate more efficient
20 means of organizing the New Jersey Transit Corporation's
21 expenditures for paratransit services, use of State casino revenue
22 funds, and appropriations for the division ¹and department¹ related
23 to paratransit services, for the purpose of coordinating these three
24 respective funding pools to eliminate any duplicative funding, and
25 to direct trips and funding to service providers that offer the highest
26 quality service and overall best value.

27 f. The county plans required under section 6 of P.L.1983,
28 c.578 (C.27:25-30) and any committees or groups organized to
29 effectuate the purposes of the "Senior Citizen and Disabled
30 Resident Transportation Assistance Act," P.L.1983, c.578 (C.27:25-
31 25 et seq.) shall be consolidated into the regional paratransit
32 coordinating councils. If necessary, county level subcommittees of
33 the regional paratransit coordinating councils may be established to
34 more effectively develop county plans; however, following the
35 effective date of P.L. , c. (C.) (pending before the
36 Legislature as this bill) county plans shall also take into account the
37 larger regional and Statewide goals of integrating paratransit service
38 and creating a more cohesive user experience under the pilot
39 program established in P.L. , c. (C.) (pending before the
40 Legislature as this bill).

41 g. The New Jersey Transit Corporation shall utilize each
42 regional paratransit coordinating council to disseminate information
43 about the new Access Link program structure developed pursuant to
44 section 4 of P.L. , c. (C.) (pending before the Legislature
45 as this bill) and coordinate with the council in determining the
46 operating standards required for paratransit providers to compete to
47 provide Access Link trips and when developing the system for

1 paying paratransit providers to provide regular and routine trips
2 requested through the Access Link program.

3 h. The regional paratransit coordinating councils shall also
4 advise other paratransit providers in each region and develop
5 support materials to assist other paratransit providers in adopting
6 and implementing the best practices training package developed
7 under phase three of the pilot program established pursuant to
8 paragraph (1) of subsection d. of section 5 of P.L. , c. (C.)
9 (pending before the Legislature as this bill).
10

11 7. The ¹ **["division"] corporation**¹, in consultation with the
12 ¹ **["New Jersey Transit Corporation"] department**¹, shall develop a
13 framework to evaluate the efficacy of the paratransit best practices
14 training materials as well as the training program. Within 180 days
15 of the completion of phase two and within 180 days of completion
16 of phase three of the pilot program, the ¹ **["division"] corporation**¹
17 shall deliver a report to the Governor and the Legislature. Each
18 report shall include feedback from the agencies that received
19 training, a fiscal analysis of each agency with projections on how
20 the implementation of the training will impact each agency's safety
21 performance, average trip times, cost per trip, number of trips
22 provided, and overall impact on each agency's core mission of
23 serving people with disabilities. The ¹ **["division"] department**¹ and
24 corporation shall conduct a survey of consumers of paratransit
25 services within the pilot program and shall include feedback from
26 these consumers in the report. The report shall include
27 recommendations from the ¹ **["division"] department**¹ and the ¹ **["New
28 Jersey Transit Corporation"] corporation**¹ concerning whether the
29 pilot program should be extended or made permanent, suggested
30 changes to the program, opportunities for improvement, and the
31 potential for future savings. The report shall also identify the extent
32 to which software from the pilot has been integrated into the
33 corporation's paratransit services, the analysis that determined how
34 to execute the integration required under the first part of phase three
35 of the pilot program, and findings from the ¹ **["division"] department**¹
36 and the corporation about the overall change in coordination
37 between paratransit providers throughout the State at the time of the
38 report.
39

40 ¹ **[8.** There is appropriated from the General Fund to The New
41 Jersey Transit Corporation up to \$4,000,000 from a portion of the
42 additional Federal Transit Administration funds granted in FY 2020
43 under the Section 5307 Urbanized Area Program, pursuant to the
44 provisions of the "Coronavirus Aid, Relief, and Economic Security
45 Act," Pub.L.116-136, exclusively for eligible costs to develop the
46 paratransit best practices training module, including but not limited
47 to, software development and licensing costs as required pursuant to

1 section 5 of P.L. , c. (C.) (pending before the Legislature
2 as this bill).¹

3

4 ¹9. There is appropriated \$2,000,000 from the General Fund to
5 the Division of Developmental Disabilities in the Department of
6 Human Services, which shall be used to fund the paratransit training
7 pilot program established pursuant section 5 of
8 P.L. , c. (C.) (pending before the Legislature as this bill).¹

9

10 ¹10. 8.¹ This act shall take effect immediately.

11

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14

15 Establishes program to adopt paratransit best practices, requires
16 greater coordination among paratransit service providers, and
17 establishes regional paratransit coordinating councils.

SENATE, No. 2517

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 28, 2020

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Senators Addiego, Diegnan, Greenstein and Ruiz

SYNOPSIS

Establishes program to adopt paratransit best practices, requires greater coordination among paratransit service providers, and establishes regional paratransit coordinating councils; appropriates \$6 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning paratransit services, the establishment of
2 regional paratransit coordinating councils, supplementing Title
3 27 and Title 30 of the Revised Statutes, and making an
4 appropriation.

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

8
9 1. This act shall be known and may be cited as the “Paratransit
10 Services Improvement Act.”

11
12 2. The Legislature hereby finds and declares:

13 The current system for paratransit services is fragmented and
14 includes various providers from different levels of government as
15 well as from private enterprise in different regions, counties, and
16 service areas. The ultimate impact of the current system is poor
17 service, including but not limited to long trip times and poor
18 communication of trip status, and high costs.

19 Access Link, which is a program administered by the New Jersey
20 Transit Corporation that was established to enable the State to meet
21 the minimum standards of the federal “Americans with Disabilities
22 Act of 1990” (42 U.S.C. s.12101 et seq.), provides the majority of
23 paratransit trips in the State. The Access Link Program, which has
24 a very high per trip cost, should serve as a safety net for paratransit
25 within the State, not as the primary provider of paratransit services
26 within the State as is currently the case. Community organizations
27 that provide paratransit services for individuals with developmental
28 disabilities have provided evidence to the Legislature that certain
29 paratransit services may be provided that are objectively safer, have
30 shorter average trip times, and cost less per passenger mile. The
31 average cost per trip for Access Link trips is, in many cases, triple
32 the cost of similar paratransit services. Accordingly, it should be an
33 objective of the State to direct service for regular and recurring
34 paratransit trips away from Access Link, where possible, and
35 toward other providers, including those funded through the
36 Department of Human Services and the Division of Vocational
37 Rehabilitation Services within the Department of Labor and
38 Workforce Development, to both improve the quality of service and
39 reduce costs, effectively using Access Link as a paratransit provider
40 of last resort.

41 In addition to Access Link, county transit providers provide
42 paratransit services to senior citizens and individuals with
43 disabilities. The level of service available varies widely from
44 county to county and the source of State funding for these services,
45 the Casino Revenue Fund, has experienced reduced revenues in
46 recent years. Furthermore, organizations at the county level have
47 been charged by the New Jersey Transit Corporation with

1 developing local coordination transportation plans within each
2 county but often lack knowledge of best practices, do not coordinate
3 regionally, and many organizations do not have common platforms
4 or systems for requesting, sharing, and completing trips.

5 Direct administrative connections and coordination between
6 agencies and organizations that provide programs and services for
7 disabled persons, generally, and transit agencies that provide transit
8 trips for those individuals would assist the State in improving the
9 quality of service and reducing State costs.

10 Building these relationships will help the State, community
11 organizations, and transit agencies develop best practices for
12 providing paratransit services, which will lead to additional
13 improvements in the quality of services and additional reductions in
14 costs.

15 The current system is insufficient to meet the needs of persons
16 with disabilities in the State, including the use of routing software
17 that has proven to be wholly inadequate to serve the special needs
18 of the disabled community.

19 It is essential that the State improve coordination, share best
20 practices, advance proven models, and improve the efficiency of the
21 system.

22

23 3. For the purposes of P.L. , c. (C.) (pending before
24 the Legislature as this bill):

25 “Community organization” means an organization that provides
26 programs and services to persons with disabilities.

27 “County transit agency” means a transportation service
28 organized under or in conjunction with a county government to
29 provide trips to senior citizens and residents with disabilities under
30 the "Senior Citizen and Disabled Resident Transportation
31 Assistance Act," P.L.1983, c.578 (C.27:25-25 et seq.).

32 “Division” means, unless another meaning clearly applies, the
33 Division of Developmental Disabilities in the Department of
34 Human Services.

35 “Paratransit provider” means any organization or entity that
36 provides paratransit services, including State and local transit
37 agencies, directly or through contract service, and community
38 organizations that provide transportation trips, either directly or
39 through a third party, funded by the Department of Human Services
40 or the Division of Vocational Rehabilitation Services within the
41 Department of Labor and Workforce Development.

42 “Paratransit service” means and includes any transportation
43 service other than fixed route transportation service, except that
44 “paratransit service” does not include private or charter services
45 provided by taxicabs, limousines, or transportation network
46 companies.

1 4. The corporation shall ensure that all paratransit service that
2 it directly manages, administers, or supports financially, including
3 but not limited to Access Link service, shall adhere to the following
4 standards:

5 a. All paratransit providers shall implement an open software
6 platform such that the customer's user-interface and the trip
7 planning software can interact with the platforms of other
8 paratransit providers, allowing a trip requested by a customer via
9 the user interface to be fulfilled by a paratransit provider that
10 chooses to utilize a compatible platform without any additional
11 action on the part of the customer. Specifically, the open software
12 platform shall be interoperable with software developed pursuant to
13 subparagraph (1) of subsection b. of section 5 of
14 P.L. , c. (C.) (pending before the Legislature as this bill).

15 b. The corporation shall structure the Access Link program as a
16 service of last resort. In structuring the program in this way, the
17 corporation shall: (1) actively develop a methodology whereby
18 customer trips can be tracked, and identify any trips requested by
19 customers that are regular and recurring in nature; (2) track and
20 document these regular and recurring trips by pickup location,
21 source of the request such as by phone, website, or mobile
22 application, and relevant regular or recurring characteristics, such
23 as, but not limited to, daily, weekly, monthly intervals, or several
24 trips from a single source or to a single destination; (3) make
25 information about these regular and recurring trips available to
26 other paratransit providers in the State, including county transit
27 agencies and community organizations that provide transportation
28 service, either directly or through a third party, funded by the
29 Department of Human Services or the Division of Vocational
30 Rehabilitation Services within the Department of Labor and
31 Workforce Development; (4) develop a system that allows county
32 transit agencies and community organizations that provide
33 paratransit service to compete to conduct these regular and
34 recurring trips, which would have otherwise been provided under
35 the Access Link program, by establishing a new Access Link
36 program structure where the corporation is able to realize contract
37 or operating cost savings when it shifts requested regular and
38 routine trips from the primary Access Link provider to a paratransit
39 provider that is able to provide these trips at a lower cost; (5)
40 develop a system that provides a payment equal to a portion of the
41 savings from the shifting of trips in paragraph (4) of this subsection
42 to the paratransit provider that provides the trips in place of the
43 Access link provider; and (6) shift trips out of the Access Link
44 program entirely, and to other State agencies or entities if it is found
45 that a regular and recurring trip requested through the Access Link
46 program is better provided under a different program through the
47 Department of Human Services or the Department of Labor and

1 Workforce Development, especially those trip requests that would
2 not otherwise be eligible to be provided under the Access Link
3 program.

4 c. Following the effective date of P.L. , c. (C.)
5 (pending before the Legislature as this bill), the corporation shall
6 not enter into any contract, or exercise any option to extend an
7 existing contract, concerning the provision of Access Link service
8 unless the contract or option includes a provision that the fixed
9 costs of the contract or option shall be proportionately reduced to
10 reflect any reduction in the provision of regular and recurring trips
11 provided by the contractor that are subsequently fulfilled by another
12 paratransit provider. The corporation shall establish minimum
13 operating standards for any paratransit provider that may wish to
14 participate in this program to ensure that all applicable federal
15 standards are met by the paratransit provider and that adequate
16 safeguards are provided to customers.

17 d. The corporation shall utilize the paratransit best practices
18 training module developed pursuant to subsection b. of section 5 of
19 P.L. , c. (C.) (pending before the Legislature as this bill) in
20 meeting the requirements of this section. The corporation, when
21 establishing the open software platform, required pursuant to
22 subsection a. of this section, shall ensure that the platform is
23 affordable for the corporation to adopt and easily implemented by
24 the various paratransit providers that will utilize the software
25 platform.

26

27 5. a. (1) The Division of Developmental Disabilities within
28 the Department of Human Services, in consultation with the New
29 Jersey Transit Corporation, shall develop and implement a
30 paratransit best practices pilot program.

31 (2) The division, in consultation with the New Jersey Transit
32 Corporation, shall select a qualified community organization to
33 assist it in developing and implementing the pilot program. The
34 qualified community organization shall meet the following criteria:

35 (a) the organization shall operate a facility that provides
36 services to persons with intellectual or developmental disabilities;

37 (b) the organization shall directly provide paratransit services to
38 persons with disabilities with those services paid, in whole or in
39 part, by funds received from the Department of Human Services and
40 the Division of Vocational Rehabilitation Services within the
41 Department of Labor and Workforce Development;

42 (c) within the previous five years, the organization has received
43 a Federal Transit Administration grant awarded by and administered
44 through the New Jersey Transit Corporation for improvement to
45 paratransit services;

46 (d) during the previous five-year period, the organization has
47 demonstrated improvement in key performance metrics, including

1 average trip time, vehicle accidents, and cost per passenger mile for
2 paratransit services; and

3 (e) the organization provides transportation trips on a sufficient
4 scale, including at least 250 daily trips under normal operating
5 conditions.

6 b. Phase one of the pilot program shall include the following:

7 A training module for paratransit best practices shall be
8 developed jointly by the qualified community organization and the
9 New Jersey Transit Corporation and subject to approval by the
10 division. The training module shall include: (1) an integrated
11 paratransit software package that includes trip generation and
12 scheduling, GPS directions for drivers, a mobile application for
13 users that allows for trip requests, confirmation of trip requests, and
14 trip status updates, and a trip accounting system; (2) a driver safety
15 system that includes dashboard cameras, incident monitoring, and
16 driver training; (3) assistance in hiring staff if necessary to fully
17 implement the transportation system and train existing staff in the
18 use of new technologies and business processes; (4) a curriculum
19 that educates agencies about fleet management and specialized
20 driver training for the needs of paratransit users; (5) personalized
21 agency culture training; and (6) agency training on how to develop
22 synergies between optimal transportation practices and the other
23 programmatic needs of paratransit providers who provide
24 transportation trips funded by the Department of Human Services.

25 c. Phase two of the pilot program shall include the following:

26 The division shall establish an application process where up to
27 five paratransit providers that provide transportation trips directly
28 funded by the Department of Human Services or the Division of
29 Vocational Rehabilitation Services within the Department of Labor
30 and Workforce Development are selected by the division, in
31 consultation with the qualified community organization, to receive
32 training in paratransit best practices from the qualified community
33 organization. When selecting service providers to receive training,
34 the division shall consider the cost for the paratransit provider to
35 adopt these best practices, which may include but is not necessarily
36 limited to the acquisition of new software, hiring of staff, and any
37 necessary changes in vehicle fleet composition as well as potential
38 savings that the paratransit provider will be likely to realize from
39 reducing average trip time, vehicle accidents, and cost per
40 passenger mile by adopting these best practices and the likelihood
41 that those savings could self-fund the adoption of the best practices.
42 Any paratransit providers selected to participate in the pilot
43 program shall receive training from the qualified community
44 organization.

45 d. Phase three of the pilot program shall include the following:

46 (1) If the efficiencies realized by the paratransit providers that
47 received training in phase two are sufficient to justify widespread

1 adoption, then the division and corporation, in consultation with the
2 qualified community organization, shall expand the training
3 program by further developing the module into a best practices
4 training package designed in a manner that allows a paratransit
5 provider to independently adopt the best practices and software on
6 its own, or in conjunction with assistance provided generally
7 through the paratransit coordinating councils established in
8 accordance with section 6 of P.L. , c. (C.) (pending before
9 the Legislature as this bill). It is intended that this phase three
10 training module shall allow for the eventual integration of
11 paratransit services throughout the State. Integration of paratransit
12 services shall mean the widespread adoption of the software
13 developed pursuant to phase one of the pilot program, or similarly
14 compatible software, so that requested trips by customers may be
15 fulfilled, if possible, by any applicable paratransit provider, and that
16 paratransit providers shall meet the minimum operating standards
17 established by the New Jersey Transit Corporation so that those
18 paratransit providers may compete for regular and routine Access
19 Link trips under the revised Access Link program as described in
20 section 4 of P.L. , c. (C.) (pending before the Legislature
21 as this bill).

22 If the efficiencies realized in phase two do not justify expansion
23 of the training program further, then the division and corporation, in
24 consultation with the qualified community organization, shall
25 determine an alternate method of integrating paratransit services
26 throughout the State in a manner that allows paratransit providers
27 that meet minimum operating standards to compete for regular and
28 routine Access Link trips under the revised Access Link program as
29 described in section 4 of P.L. , c. (C.) (pending before the
30 Legislature as this bill).

31 (2) The regional paratransit coordinating councils shall be
32 established in accordance with section 6 of P.L. , c. (C.)
33 (pending before the Legislature as this bill).

34 e. The New Jersey Transit Corporation shall utilize the
35 complete paratransit best practices training module, including the
36 associated software, when making changes to its paratransit service
37 and the Access Link program to comply with the requirements of
38 section 4 of P.L. , c. (C.) (pending before the Legislature
39 as this bill).

40 f. (1) The New Jersey Transit Corporation shall enter into a
41 contract with the qualified community organization that
42 compensates the qualified community organization for its costs in
43 developing the paratransit best practices training module as required
44 for phase one of the pilot program as established in subsection b. of
45 this section, and providing the training module as a publicly
46 available resource that can be utilized by other paratransit providers
47 in the State and used by the corporation for its own paratransit

1 services. If phases one and two of the pilot program are determined
2 to be successful, the corporation shall also enter into a contract with
3 the qualified community organization to further develop the training
4 module into a self-administered best practices training package as
5 required for phase three of the pilot program in subsection d. of this
6 section. The self-administered best practices training package shall
7 also be a publicly available resource that can be utilized by other
8 paratransit providers in the State and by the corporation for its own
9 paratransit services.

10 (2) The division shall enter into a contract with the qualified
11 community organization for the actual training of agencies under
12 the pilot program, which shall include performance standards as the
13 division shall deem appropriate to ensure that the agencies being
14 trained are adequately prepared to implement safer, more efficient,
15 user friendly, and customer-focused transportation services.

16 (3) To the extent possible, the division shall require paratransit
17 providers being trained under the program to first utilize operating
18 savings resulting from adoption of the paratransit best practices
19 training pilot program to fund the costs of software, staff, and
20 equipment that may be required under the program, and limiting the
21 overall costs of the program.

22

23 6. a. There is hereby established within the Department of
24 Human Services six separate regional paratransit coordinating
25 councils. The regional paratransit coordinating councils shall be
26 organized as follows:

27 (1) one council shall cover the counties of Atlantic, Cape May,
28 Cumberland, Gloucester, and Salem;

29 (2) one council shall cover the counties of Burlington, Camden,
30 and Ocean;

31 (3) one council shall cover the counties of Mercer, Middlesex,
32 and Monmouth;

33 (4) one council shall cover the counties of Hunterdon, Sussex,
34 and Warren;

35 (5) one council shall cover the counties of Essex, Morris,
36 Somerset, and Union; and

37 (6) one council shall cover the counties of Bergen, Hudson, and
38 Passaic.

39 b. Each regional paratransit coordinating council shall have the
40 following members:

41 (1) one designee of the Director of the Division of
42 Developmental Disabilities in the Department of Human Services;

43 (2) one designee of the New Jersey Transit Corporation who
44 works on the Access Link program or the Senior Citizen and
45 Disabled Resident Transportation Assistance Program;

- 1 (3) one representative of any company or entity that has
2 contracted with the New Jersey Transit Corporation to provide
3 Access Link paratransit service within the region;
 - 4 (4) one representative of each county within the respective
5 region to be chosen by the county executive director or by the board
6 of freeholders, as applicable;
 - 7 (5) one representative of each county transportation agency or
8 other comparable entity within the respective region that provides
9 paratransit service for a county under the Senior Citizen and
10 Disabled Resident Transportation Assistance Program;
 - 11 (6) one representative from each county chapter of the Arc of
12 New Jersey within the respective region;
 - 13 (7) one individual that represents one or more members of the
14 Alliance for the Betterment of Citizens with Disabilities within the
15 respective region;
 - 16 (8) one representative of Community Access Unlimited within
17 the respective region;
 - 18 (9) one representative of the New Jersey Association of
19 Community Providers within the respective region; and
 - 20 (10) up to three additional appointees of the Director of the
21 Division of Developmental Disabilities to represent paratransit
22 providers within the region that provide the most passenger trips to
23 persons with disabilities.
- 24 c. Each agency with an eligible representative of a regional
25 paratransit coordinating council provided in subsection b. of this
26 section shall submit information in a form and manner determined
27 by the Director of the Division of Developmental Disabilities to the
28 director not later than 30 days following the enactment of P.L. , c.
29 (C.) (pending before the Legislature as this bill) and on or
30 before January 1 of each year thereafter identifying the name and
31 contact information for the person to represent each respective
32 agency. The term for each member on the regional paratransit
33 coordinating council shall be one year provided, however, that any
34 member may be selected to serve on the council for subsequent
35 terms at the discretion of the respective agency. The director may
36 appoint one member of each regional paratransit coordinating
37 council to serve as the chair of that council.
- 38 d. Each regional paratransit coordinating council shall meet not
39 less than quarterly, with the first meeting happening not less than 60
40 days following the enactment of P.L. , c. (C.) (pending
41 before the Legislature as this bill). The chair, in consultation with
42 the other members of the council, shall set meeting dates and shall
43 lead the coordination effort. The members shall serve without
44 compensation but may be reimbursed by the division for reasonable
45 expenses incurred in the execution of their duties.
- 46 e. The purpose of the regional paratransit coordinating councils
47 is to exchange best practices among paratransit providers within the

1 State. Those best practices shall include but are not limited to
2 scheduling and routing, fleet maintenance, driver training, customer
3 communications, safety practices, and improving the customer
4 usability experience. The councils are also to establish a system to
5 exchange information among and between paratransit providers and
6 eventually open platform standards so that: (1) each paratransit
7 provider may provide basic information to its customers about other
8 paratransit service options within each respective region; (2)
9 paratransit providers may eventually share customer trip requests
10 amongst each other; and (3) a single platform may eventually be
11 developed that enables a paratransit user to visit a single platform or
12 place to request a trip, and that trip may be distributed amongst the
13 paratransit providers in a manner that optimizes State cost and
14 customer experience. The councils shall also exchange budget
15 information and investigate more efficient means of organizing the
16 New Jersey Transit Corporation's expenditures for paratransit
17 services, use of State casino revenue funds, and appropriations for
18 the division related to paratransit services, for the purpose of
19 coordinating these three respective funding pools to eliminate any
20 duplicative funding, and to direct trips and funding to service
21 providers that offer the highest quality service and overall best
22 value.

23 f. The county plans required under section 6 of P.L.1983,
24 c.578 (C.27:25-30) and any committees or groups organized to
25 effectuate the purposes of the "Senior Citizen and Disabled
26 Resident Transportation Assistance Act," P.L.1983, c.578 (C.27:25-
27 25 et seq.) shall be consolidated into the regional paratransit
28 coordinating councils. If necessary, county level subcommittees of
29 the regional paratransit coordinating councils may be established to
30 more effectively develop county plans; however, following the
31 effective date of P.L. , c. (C.) (pending before the
32 Legislature as this bill) county plans shall also take into account the
33 larger regional and Statewide goals of integrating paratransit service
34 and creating a more cohesive user experience under the pilot
35 program established in P.L. , c. (C.) (pending before the
36 Legislature as this bill).

37 g. The New Jersey Transit Corporation shall utilize each
38 regional paratransit coordinating council to disseminate information
39 about the new Access Link program structure developed pursuant to
40 section 4 of P.L. , c. (C.) (pending before the Legislature
41 as this bill) and coordinate with the council in determining the
42 operating standards required for paratransit providers to compete to
43 provide Access Link trips and when developing the system for
44 paying paratransit providers to provide regular and routine trips
45 requested through the Access Link program.

46 h. The regional paratransit coordinating councils shall also
47 advise other paratransit providers in each region and develop

1 support materials to assist other paratransit providers in adopting
2 and implementing the best practices training package developed
3 under phase three of the pilot program established pursuant to
4 paragraph (1) of subsection d. of section 5 of P.L. , c. (C.)
5 (pending before the Legislature as this bill).
6

7 7. The division, in consultation with the New Jersey Transit
8 Corporation, shall develop a framework to evaluate the efficacy of
9 the paratransit best practices training materials as well as the
10 training program. Within 180 days of the completion of phase two
11 and within 180 days of completion of phase three of the pilot
12 program, the division shall deliver a report to the Governor and the
13 Legislature. Each report shall include feedback from the agencies
14 that received training, a fiscal analysis of each agency with
15 projections on how the implementation of the training will impact
16 each agency's safety performance, average trip times, cost per trip,
17 number of trips provided, and overall impact on each agency's core
18 mission of serving people with disabilities. The division and
19 corporation shall conduct a survey of consumers of paratransit
20 services within the pilot program and shall include feedback from
21 these consumers in the report. The report shall include
22 recommendations from the division and the New Jersey Transit
23 Corporation concerning whether the pilot program should be
24 extended or made permanent, suggested changes to the program,
25 opportunities for improvement, and the potential for future savings.
26 The report shall also identify the extent to which software from the
27 pilot has been integrated into the corporation's paratransit services,
28 the analysis that determined how to execute the integration required
29 under the first part of phase three of the pilot program, and findings
30 from the division and the corporation about the overall change in
31 coordination between paratransit providers throughout the State at
32 the time of the report.
33

34 8. There is appropriated from the General Fund to The New
35 Jersey Transit Corporation up to \$4,000,000 from a portion of the
36 additional Federal Transit Administration funds granted in FY 2020
37 under the Section 5307 Urbanized Area Program, pursuant to the
38 provisions of the "Coronavirus Aid, Relief, and Economic Security
39 Act," Pub.L.116-136, exclusively for eligible costs to develop the
40 paratransit best practices training module, including but not limited
41 to, software development and licensing costs as required pursuant to
42 section 5 of P.L. , c. (C.) (pending before the Legislature
43 as this bill).
44

45 9. There is appropriated \$2,000,000 from the General Fund to
46 the Division of Developmental Disabilities in the Department of
47 Human Services, which shall be used to fund the paratransit training

1 pilot program established pursuant section 5 of
2 P.L. , c. (C.) (pending before the Legislature as this bill).

3

4 10. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill reforms the State's system of providing paratransit
10 services. The goal of the reforms is to better integrate the various
11 types of paratransit service currently offered in the State, allow
12 lower cost providers to provide more of the trips, and ensure that
13 best practices are adopted across the State.

14 The bill requires the New Jersey Transit Corporation (NJ
15 Transit) to better integrate its paratransit services with other
16 paratransit services. Under the bill, this is achieved by requiring NJ
17 Transit to ensure that all paratransit service that it directly manages,
18 administers, or supports financially develops an open software
19 platform that will be compatible with the software used by other
20 paratransit providers. The bill requires NJ Transit to begin
21 identifying regular and recurring trips, and to develop a system
22 where other paratransit providers can complete those trips on behalf
23 of NJ Transit if the provider can meet applicable federal standards,
24 provide the trip at a lower cost, and protect customer safety. The
25 bill also requires NJ Transit to develop an Access Link program
26 structure that allows NJ Transit to realize cost savings when
27 reducing Access Link trip volumes, and to share those savings with
28 paratransit providers that meet minimum federal standards and
29 successfully compete for regular and routine trips under this new
30 system. The bill also encourages NJ Transit to move trips requested
31 under the Access Link program to other State based programs
32 entirely, especially if those trip requests are not eligible under the
33 Access Link program. This is intended to provide greater
34 integration of paratransit service across the State, so that NJ Transit
35 can allow paratransit providers to compete for regular and routine
36 Access Link trips.

37 The bill requires the establishment of a best practices pilot
38 training program for paratransit providers. The program is to be run
39 by the Division of Developmental Disabilities (division) in
40 consultation with NJ Transit and a qualified community
41 organization to be selected by the division. Under the first phase of
42 the program, the qualified community organization and NJ Transit
43 will develop a paratransit best practices training module, with final
44 approval from the division. Under the second phase, the division is
45 to select five paratransit providers, upon application, to receive
46 training in paratransit best practices under the pilot program. The
47 qualified community organization will then provide the training to

1 each of the five paratransit providers under a training contract with
2 the division. The training will include modern trip making
3 software, trip confirmation, scheduling, a mobile phone application
4 for customers, dashboard camera safety technology, as well as
5 agency-wide and individual employee training and guidance.
6 Depending upon the success of phase two of the pilot, phase three
7 will involve either revising the training module into a training
8 program that other paratransit providers can adopt without direct
9 training from the qualified community organization, or NJ Transit,
10 the division, and the qualified community organization will
11 determine some other method of integrating paratransit service so
12 that paratransit providers meeting certain standards can compete for
13 regular and routine paratransit trips. The second part of phase three
14 involves the establishment of regional paratransit coordinating
15 councils.

16 The bill creates new regional paratransit coordinating councils
17 (coordinating councils). The coordinating councils are to be located
18 within the Department of Human Services. There are to be six
19 coordinating councils divided geographically by county.
20 Membership on the coordinating councils include the division, NJ
21 Transit, NJ Transit Access Link contractors from each service
22 region, county government, county paratransit system operators,
23 several listed community organizations, and up to three additional
24 paratransit providers from each region as chosen by the division.
25 The coordinating councils are to meet at least quarterly and share
26 best practices. They are also required to establish a system to
27 exchange information between paratransit providers and eventually
28 develop open platform standards and share budget information. The
29 coordinating councils will replace the county based councils used to
30 develop county plans under the Senior Citizen and Disabled
31 Resident Transportation Assistance Program, but the councils may
32 establish county level subcommittees for this purpose. The county
33 plans also must now account for the efforts of this bill to integrate
34 Statewide paratransit service under a unified platform and
35 improving Statewide coordination across geography and across
36 agency. The coordinating councils are also to be utilized by NJ
37 Transit to develop its revised Access Link program so that the
38 paratransit providers on the council can be used as a resource when
39 allowing paratransit providers to compete for regular and routine
40 Access Link trips. Finally the coordinating councils are to serve as
41 a resource and develop materials to assist other paratransit
42 providers in achieving the integration objectives in the first part of
43 phase three of the pilot program, either through the revised training
44 module or the alternate solution developed.

45 The bill requires the division to issue a report with NJ Transit to
46 the Governor and the Legislature at the end of the pilot program
47 with information on the pilot program and a recommendation on

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1 whether or not to continue the pilot program, as well as an analysis
2 of the decisions made about how to proceed with the Statewide
3 integration required in the first part of the third phase of the pilot
4 program. The division and NJ Transit are also required to survey
5 users about how their user experience is impacted by the pilot
6 program and changes to the Access Link program, and report on
7 how each have impacted paratransit users.

8 The bill provides a supplemental appropriation of federal funds
9 to NJ Transit for the cost of developing the training module and
10 related software development, and a general fund appropriation to
11 the division for the cost of the pilot's phase two training program.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2517

STATE OF NEW JERSEY

DATED: JUNE 5, 2020

The Senate Transportation Committee reports favorably Senate Bill No. 2517.

As reported, this bill reforms the State's system of providing paratransit services.

The bill requires the New Jersey Transit Corporation (NJ Transit) to better integrate its paratransit services with other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that NJ Transit directly manages, administers, or supports financially implements an open software platform that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to identify regular and recurring trips and develop a system where other paratransit providers can complete those trips, on behalf of NJ Transit, if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety.

The bill also requires NJ Transit to develop an Access Link program structure that allows NJ Transit to realize cost savings when reducing Access Link trip volumes, and share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips. The bill also encourages NJ Transit to move trips requested under the Access Link program to other State based programs entirely, especially if those trip requests are not eligible under the Access Link program.

The bill requires the establishment of a best practices pilot program for paratransit providers. The pilot program is to be run by the Division of Developmental Disabilities (division) in consultation with NJ Transit and a qualified community organization to be selected by the division. Under the first phase of the pilot program, the qualified community organization and NJ Transit will develop a paratransit best practices training module with final approval from the division. Under the second phase of the pilot program, the division is to select five paratransit providers, upon application, to receive training in paratransit best practices. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with the division. The training will include modern trip making software, trip confirmation and scheduling, a mobile phone application for customers, dashboard camera safety technology, and

agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot training program, the first part of phase three will involve: a revision of the training module into a training package that other paratransit providers can adopt without direct training from the qualified community organization; or a determination by NJ Transit, the division, and the qualified community organization of some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils (coordinating councils). The coordinating councils are to be located within the Department of Human Services. There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the division, NJ Transit, NJ Transit Access Link contractors from each service region, county government officials, county paratransit system operators, certain community organizations, and up to three additional paratransit providers within the region as chosen by the division. The coordinating councils are to meet at least quarterly and share best practices. The coordinating councils are also required to establish a system to exchange information between paratransit providers and eventually develop open platform standards and share budget information. The coordinating councils will replace the county based councils used to develop county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program, but the councils may establish county level subcommittees for this purpose. The county plans are required to account for the efforts of this bill to integrate Statewide paratransit service under a unified platform, improve Statewide coordination across geography and across agency, and create a more cohesive user experience. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires the division, in consultation with NJ Transit, to issue a report to the Governor and the Legislature at the end of the pilot program. The report is to include information on the pilot program and a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first

part of the third phase of the pilot program. The division and NJ Transit are also required to survey consumers of paratransit services within the pilot program and include feedback from those consumers in the report.”

The bill provides a supplemental appropriation of federal funds to NJ Transit for the cost of developing the training module and related software development, and a general fund appropriation to the division for the cost of phase two of the pilot program.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2517

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2517.

This bill reforms the State's system of providing paratransit services.

The bill requires the New Jersey Transit Corporation (NJ Transit) to better integrate its paratransit services with other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that NJ Transit directly manages, administers, or supports financially implements an open software platform that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to identify regular and recurring trips and develop a system where other paratransit providers can complete those trips, on behalf of NJ Transit, if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety.

The bill also requires NJ Transit to develop an Access Link program structure that allows NJ Transit to realize cost savings when reducing Access Link trip volumes, and share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips. The bill also encourages NJ Transit to move trips requested under the Access Link program to other State based programs entirely, especially if those trip requests are not eligible under the Access Link program.

The bill requires the establishment of a best practices pilot program for paratransit providers. The pilot program is to be run by the Division of Developmental Disabilities (division) in consultation with NJ Transit and a qualified community organization to be selected by the division. Under the first phase of the pilot program, the qualified community organization and NJ Transit will develop a paratransit best practices training module with final approval from the division. Under the second phase of the pilot program, the division is to select five paratransit providers, upon application, to receive training in paratransit best practices. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with the division. The training will include modern trip making software, trip confirmation and scheduling, a mobile phone application for customers, dashboard camera safety technology, and agency-wide and individual employee training and guidance.

Depending upon the success of phase two of the pilot training program, the first part of phase three will involve: a revision of the training module into a training package that other paratransit providers can adopt without direct training from the qualified community organization; or a determination by NJ Transit, the division, and the qualified community organization of some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils (coordinating councils). The coordinating councils are to be located within the Department of Human Services. There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the division, NJ Transit, NJ Transit Access Link contractors from each service region, county government officials, county paratransit system operators, certain community organizations, and up to three additional paratransit providers within the region as chosen by the division. The coordinating councils are to meet at least quarterly and share best practices. The coordinating councils are also required to establish a system to exchange information between paratransit providers and eventually develop open platform standards and share budget information. The coordinating councils will replace the county based councils used to develop county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program, but the councils may establish county level subcommittees for this purpose. The county plans are required to account for the efforts of this bill to integrate Statewide paratransit service under a unified platform, improve Statewide coordination across geography and across agency, and create a more cohesive user experience. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires the division, in consultation with NJ Transit, to issue a report to the Governor and the Legislature at the end of the pilot program. The report is to include information on the pilot program and a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first part of the third phase of the pilot program. The division and NJ Transit are also

required to survey consumers of paratransit services within the pilot program and include feedback from those consumers in the report.”

The bill provides a supplemental appropriation of federal funds to NJ Transit for the cost of developing the training module and related software development, and a general fund appropriation to the division for the cost of phase two of the pilot program.

FISCAL IMPACT:

The Office of Legislative Services finds that the New Jersey Transit Corporation (NJ Transit) will realize increased costs in order to establish the paratransit best practices pilot program, restructure the Access Link program, and to staff and oversee the coordinating councils. These costs will restructure the provision of paratransit services in the State in a way that will generate savings for NJ Transit by reducing the cost of the Access Link program and for the Department of Human Services (DHS) by reducing the cost of paratransit trips funded by DHS and provided by community organizations. The magnitude of such costs and savings will depend upon the success of the pilot program. The paratransit best practices training program is structured in phases, which will only proceed if prior phases are successful. This mechanism will allow some costs of the pilot program to be averted if they are not successful in driving cost savings as intended.

STATEMENT TO
SENATE, No. 2517

with Assembly Floor Amendments
(Proposed by Assemblyman BENSON)

ADOPTED: SEPTEMBER 24, 2020

These floor amendments transfer the lead duties of the pilot program to the New Jersey Transit Corporation (NJ Transit) rather than the Division of Developmental Disabilities. Most references to the division in the bill are removed and replaced with reference to the Department of Human Services. The amendments also remove the appropriations from the bill.

The amendments provide clarification that the Access Link program is not to serve as a provider of last resort but that the restructured program should use contract providers as a safety net rather than as the primary paratransit providers under the program. The amendments clarify that certain provisions apply only to corporation paratransit service, as that term is newly defined in the bill. The amendments remove reference to an “open software platform” and replace it with reference to routing, scheduling, and dispatch software requirements for NJ Transit contract providers.

As amended, the regional paratransit coordinating councils are no longer located within the Department of Human Services. Representatives from the New Jersey Council on Special Transportation, Easterseals New Jersey, and transportation providers for senior citizens or for health care services are added to the councils. The amendments modify one of the county government representatives by requiring that the county representative be from the county office of aging.

The amendments shift the responsibility of issuing the reports required under the bill from the Division of Developmental Disabilities to NJ Transit.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2517
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: AUGUST 31, 2020

SUMMARY

- Synopsis:** Establishes program to adopt paratransit best practices, requires greater coordination among paratransit service providers, and establishes regional paratransit coordinating councils; appropriates \$6 million
- Type of Impact:** Multi-year State expenditure increase; potential long-term decrease in State costs.
- Agencies Affected:** New Jersey Transit, Department of Human Services.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	Thereafter
State Cost Increase	At least \$6 million	Indeterminate
Potential State Cost Savings	--	Indeterminate

- The Office of Legislative Services finds that the New Jersey Transit Corporation (NJ Transit) and the Department of Human Services (DHS) will incur multi-year cost increases in order to establish the paratransit best practices pilot program, restructure the Access Link program, and to staff and oversee the coordinating councils. The restructuring of paratransit services will potentially generate savings over time for NJ Transit by reducing the cost of the Access Link program and for the DHS by reducing the cost of paratransit trips funded by DHS and provided by community organizations.
- The magnitude of such costs and savings will depend upon the success of the pilot program and the implementation of a brokerage model for the Access Link program. The expected costs of the pilot program and paratransit coordinating councils are expected to be at least the \$6 million in appropriations but likely less than \$8 million. The cost of creating a brokerage model for Access Link will involve notable additional IT costs and depend upon how the model is developed.

- The paratransit best practices training program is structured in phases, which will only proceed if prior phases are successful. This mechanism will allow some costs of the pilot program to be averted if it is not successful in driving cost savings as intended.
- Whether the pilot program and redesign of the Access Link program will result in a net increase or decrease in costs cannot be determined at this time and will depend upon various decisions made by NJ Transit about how to implement the provisions of the bill, and the success of the agency that administers the best practices training.

BILL DESCRIPTION

The bill requires NJ Transit to better integrate its paratransit services with other paratransit service providers. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that it directly manages, administers, or supports financially develops an open software platform that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to begin identifying regular and recurring trips, and to develop a system where other paratransit providers can complete those trips on behalf of NJ Transit if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill also requires NJ Transit to develop an Access Link program structure that allows NJ Transit to realize cost savings when reducing Access Link trip volumes, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system.

The bill requires the establishment of a best practices pilot training program for paratransit providers. The program is to be run by the Division of Developmental Disabilities in consultation with NJ Transit and a qualified community organization to be selected by the division. Under the first phase of the program, the qualified community organization and NJ Transit will develop a paratransit best practices training module, with final approval from the division. Under the second phase, the division is to select five paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with the division. The training will include modern trip making software, trip confirmation, scheduling, a mobile phone application for customers, dashboard camera safety technology, as well as agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot, phase three will involve either revising the training module into a training program that other paratransit providers can adopt without direct training from the qualified community organization; or NJ Transit, the division, and the qualified community organization will determine some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils. The coordinating councils are to be located within the DHS. There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the division, NJ Transit, NJ Transit Access Link contractors from each service region, county government, county paratransit system operators, several listed community organizations, and up to three additional paratransit providers from each region as chosen by the division. The coordinating councils are to meet at least quarterly and share best practices. They are also required to establish a system to exchange information between paratransit providers and eventually develop open platform standards and share budget information. The coordinating councils will replace the county based councils used to develop

county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program, but the councils may establish county-level subcommittees for this purpose. The county plans also must account for the efforts of this bill to integrate Statewide paratransit service under a unified platform and improve Statewide coordination across geography and across agency. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires the division to issue a report with NJ Transit to the Governor and the Legislature at the end of the pilot program with information on the pilot program and a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first part of the third phase of the pilot program. The division and NJ Transit are also required to survey users about how their user experience is impacted by the pilot program and changes to the Access Link program, and report on how each have impacted paratransit users.

The bill provides a supplemental appropriation of federal funds to NJ Transit for the cost of developing the training module and related software development, and a general fund appropriation to the division for the cost of the pilot's phase two training program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that NJ Transit and the DHS will realize increased costs to implement the provisions of this bill. The main cost components of the bill involve the development of the pilot program to provide paratransit best practices training, the establishment of regional coordinating councils, and the redesign of the Access Link program under a brokerage model.

The best practices pilot program has multiple phases. In the first phase, a community organization is to be identified by NJ Transit, based on a series of performance and transportation expertise factors, to develop best practices training materials. The organization is also to work with NJ Transit to develop routing, scheduling, and dispatch software for the agencies that is customized to the needs of DHS and is also designed to integrate with the NJ Transit software used to implement the Access Link brokerage model. The bill directs NJ Transit to utilize \$4 million in federal CARES act money that was allocated to NJ Transit to develop the paratransit best practices training module.

One of the DHS-funded community organizations that meets the criteria in the bill recently developed similar software and best practices approaches internally through an NJ Transit matching grant at a total cost of less than \$500,000, which could serve as a good baseline for the cost of developing the materials needed for the first phase. Once subject to the additional requirements to integrate with the NJ Transit brokerage model and to develop the software in a way that provides NJ Transit with ownership of the software rather than a licensing structure, so that it can be freely distributed to other DHS agencies, the cost would likely be higher than the

baseline. The magnitude of that increase is not clear, but \$4 million does not seem unreasonable, and NJ Transit will have some control over this by limiting the size of the grant that they offer to a community agency to develop the best practices module.

Phase two will have the same community organization from phase one administer best practices training to five other DHS-funded community organizations that apply for the training. This agency is to work one-on-one with the other five agencies to provide training to these organizations on how to modernize their paratransit operations and acquire the software and technology needed to professionalize their transportation departments. The agency that provides the one-on-one training would likely need funding to hire staff in order to provide this one-on-one training, funding to support the acquisition of new software, and staff time and resources to administer the program for both NJ Transit, DHS, and for the training agency. The potential salary of such training and administrative staff may vary, but could generally be expected to cost approximately \$100,000 per year for salary, fringe benefits, and basic office setup. Assuming two staff members to train each agency would result in a \$1 million in staffing costs for the training pilot. Senior staff from the training agency could represent additional labor costs that would have to dedicate a portion of their time to the training program. NJ Transit and DHS will likely need at least one or two similar program administration staff to oversee the program. Total staffing costs will likely be greater than \$1 million but less than \$2 million. The bill provides a General Fund appropriation of \$2 million for this purpose, which seems reasonable.

There will then be notable costs to procure software for the training agencies. Those costs are unclear and the bill does not specify the distribution of costs for software and technology to modernize these five agencies. It may be reasonably expected that NJ Transit and DHS will base the design of the training program to establish expectations about how much of the software and technology modernization burden will fall upon NJ Transit to be administered as training grants, and how much will have to be borne by the applicants who will need to make investments into their transportation departments in order to modernize and drive efficiency. It is not unreasonable to expect that NJ Transit may dedicate an additional \$1 million per agency in software and technology grants or \$5 million, but could be less if the training program allows these agencies to realize significant savings. This would leave phase two at a potential cost of \$6-7 million, with only \$2 million being covered through appropriations in the bill.

Phase three is only to take place if phase two is successful, and involves the conversion of the one-on-one training into a self-training module so that some of the more than 200 DHS-funded transit agencies can benefit from these best practices without costly one-on-one training or significant technology grants. The training agency would need additional funding to convert this training module to a self-training structure, and additional IT costs may be required to ensure that the scheduling, routing, and dispatch software is owned by NJ Transit and can be distributed to community organizations at minimal cost. The cost of this phase is not clear, but is expected to be significantly less on a per agency basis than the phase two training.

In both phases the bill directs NJ Transit to require training agencies to direct cost efficiencies they realize from this training back into their transportation operations, which is expected to mitigate the costs faced by the State in providing software and technology, because they may largely be paid for through operating efficiencies.

The cost of the coordinating councils is expected to be limited to the staff cost for DHS and NJ Transit to oversee the councils and coordinate best practices sharing. There are six regional councils loosely based on Access Link service regions that are required to meet at least quarterly, which would mean up to 24 meetings per year. It is unclear how much staff time such an effort will involve and the degree to which DHS and NJ Transit have existing staff which can manage this effort through some of their existing paratransit coordination efforts.

The bill has reporting requirements to evaluate the effectiveness of the pilot program. The cost of these reporting requirements will depend upon how the report is structured, but it is likely that the program administration staff envisioned in the cost of phase two of the pilot program will also be able to complete this requirement.

The bill also requires NJ Transit to redesign the Access Link program to be administered under a brokerage model. This is a process that NJ Transit had already been moving towards prior to this bill, and the company from which NJ Transit licenses its scheduling software from, The Trapeze Group, has software modules that can be customized specifically to facilitate the transition to a brokerage model for paratransit scheduling and dispatch. Despite this, the conversion from the current contract carrier model to a brokerage model will entail significant cost that cannot be quantified based on the provisions of the bill. The primary drivers of that cost will depend upon implementation decisions that NJ Transit will make based upon its understanding of its own program needs and how to best meet demand for paratransit service.

Each of these areas of cost are generally intended to be investments to improve paratransit service and increase cost efficiency. It is not possible at this time to quantify those savings, but the per passenger cost of trips on the Access Link program can be up to \$70 per passenger trip based on NJ Transit board meeting reports, and federal requirements do not allow the agency to charge any more for these trips than the agency charges for a standard bus fare, resulting in only modest passenger revenue from Access Link trips. As a result, even limited increases in the cost efficiency of the Access Link program can generate significant annual and per-trip savings. It is important to note though that the realization of those savings will require changes to the contracts NJ Transit has with its Access Link carriers. NJ Transit needs the brokerage model to reduce reliance on high per trip costs fulfilled by contract carriers and replace those with lower per trip costs fulfilled by counties and community agencies.

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.).

ASSEMBLY, No. 4208

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 1, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Establishes program to adopt paratransit best practices, requires greater coordination among paratransit service providers, and establishes regional paratransit coordinating councils; appropriates \$6 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/4/2020)

1 AN ACT concerning paratransit services, the establishment of
2 regional paratransit coordinating councils, supplementing Title
3 27 and Title 30 of the Revised Statutes, and making an
4 appropriation.

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

8
9 1. This act shall be known and may be cited as the “Paratransit
10 Services Improvement Act.”

11
12 2. The Legislature hereby finds and declares:

13 The current system for paratransit services is fragmented and
14 includes various providers from different levels of government as
15 well as from private enterprise in different regions, counties, and
16 service areas. The ultimate impact of the current system is poor
17 service, including but not limited to long trip times and poor
18 communication of trip status, and high costs.

19 Access Link, which is a program administered by the New Jersey
20 Transit Corporation that was established to enable the State to meet
21 the minimum standards of the federal “Americans with Disabilities
22 Act of 1990” (42 U.S.C. s.12101 et seq.), provides the majority of
23 paratransit trips in the State. The Access Link Program, which has
24 a very high per trip cost, should serve as a safety net for paratransit
25 within the State, not as the primary provider of paratransit services
26 within the State as is currently the case. Community organizations
27 that provide paratransit services for individuals with developmental
28 disabilities have provided evidence to the Legislature that certain
29 paratransit services may be provided that are objectively safer, have
30 shorter average trip times, and cost less per passenger mile. The
31 average cost per trip for Access Link trips is, in many cases, triple
32 the cost of similar paratransit services. Accordingly, it should be an
33 objective of the State to direct service for regular and recurring
34 paratransit trips away from Access Link, where possible, and
35 toward other providers, including those funded through the
36 Department of Human Services and the Division of Vocational
37 Rehabilitation Services within the Department of Labor and
38 Workforce Development, to both improve the quality of service and
39 reduce costs, effectively using Access Link as a paratransit provider
40 of last resort.

41 In addition to Access Link, county transit providers provide
42 paratransit services to senior citizens and individuals with
43 disabilities. The level of service available varies widely from
44 county to county and the source of State funding for these services,
45 the Casino Revenue Fund, has experienced reduced revenues in
46 recent years. Furthermore, organizations at the county level have
47 been charged by the New Jersey Transit Corporation with
48 developing local coordination transportation plans within each

1 county but often lack knowledge of best practices, do not coordinate
2 regionally, and many organizations do not have common platforms
3 or systems for requesting, sharing, and completing trips.

4 Direct administrative connections and coordination between
5 agencies and organizations that provide programs and services for
6 disabled persons, generally, and transit agencies that provide transit
7 trips for those individuals would assist the State in improving the
8 quality of service and reducing State costs.

9 Building these relationships will help the State, community
10 organizations, and transit agencies develop best practices for
11 providing paratransit services, which will lead to additional
12 improvements in the quality of services and additional reductions in
13 costs.

14 The current system is insufficient to meet the needs of persons
15 with disabilities in the State, including the use of routing software
16 that has proven to be wholly inadequate to serve the special needs
17 of the disabled community.

18 It is essential that the State improve coordination, share best
19 practices, advance proven models, and improve the efficiency of the
20 system.

21

22 3. For the purposes of P.L. , c. (C.) (pending before
23 the Legislature as this bill):

24 “Community organization” means an organization that provides
25 programs and services to persons with disabilities.

26 “County transit agency” means a transportation service
27 organized under or in conjunction with a county government to
28 provide trips to senior citizens and residents with disabilities under
29 the "Senior Citizen and Disabled Resident Transportation
30 Assistance Act," P.L.1983, c.578 (C.27:25-25 et seq.).

31 “Division” means, unless another meaning clearly applies, the
32 Division of Developmental Disabilities in the Department of
33 Human Services.

34 “Paratransit provider” means any organization or entity that
35 provides paratransit services, including State and local transit
36 agencies, directly or through contract service, and community
37 organizations that provide transportation trips, either directly or
38 through a third party, funded by the Department of Human Services
39 or the Division of Vocational Rehabilitation Services within the
40 Department of Labor and Workforce Development.

41 “Paratransit service” means and includes any transportation
42 service other than fixed route transportation service, except that.
43 “paratransit service” does not include private or charter services
44 provided by taxicabs, limousines, or transportation network
45 companies.

46

47 4. The corporation shall ensure that all paratransit service that
48 it directly manages, administers, or supports financially, including

1 but not limited to Access Link service, shall adhere to the following
2 standards:

3 a. All paratransit providers shall implement an open software
4 platform such that the customer's user-interface and the trip
5 planning software can interact with the platforms of other
6 paratransit providers, allowing a trip requested by a customer via
7 the user interface to be fulfilled by a paratransit provider that
8 chooses to utilize a compatible platform without any additional
9 action on the part of the customer. Specifically, the open software
10 platform shall be interoperable with software developed pursuant to
11 subparagraph (1) of subsection b. of section 5 of P.L. ,
12 c. (C.) (pending before the Legislature as this bill).

13 b. The corporation shall structure the Access Link program as a
14 service of last resort. In structuring the program in this way, the
15 corporation shall: (1) actively develop a methodology whereby
16 customer trips can be tracked, and identify any trips requested by
17 customers that are regular and recurring in nature; (2) track and
18 document these regular and recurring trips by pickup location,
19 source of the request such as by phone, website, or mobile
20 application, and relevant regular or recurring characteristics, such
21 as, but not limited to, daily, weekly, monthly intervals, or several
22 trips from a single source or to a single destination; (3) make
23 information about these regular and recurring trips available to
24 other paratransit providers in the State, including county transit
25 agencies and community organizations that provide transportation
26 service, either directly or through a third party, funded by the
27 Department of Human Services or the Division of Vocational
28 Rehabilitation Services within the Department of Labor and
29 Workforce Development; (4) develop a system that allows county
30 transit agencies and community organizations that provide
31 paratransit service to compete to conduct these regular and
32 recurring trips, which would have otherwise been provided under
33 the Access Link program, by establishing a new Access Link
34 program structure where the corporation is able to realize contract
35 or operating cost savings when it shifts requested regular and
36 routine trips from the primary Access Link provider to a paratransit
37 provider that is able to provide these trips at a lower cost; (5)
38 develop a system that provides a payment equal to a portion of the
39 savings from the shifting of trips in paragraph (4) of this subsection
40 to the paratransit provider that provides the trips in place of the
41 Access link provider; and (6) shift trips out of the Access Link
42 program entirely, and to other State agencies or entities if it is found
43 that a regular and recurring trip requested through the Access Link
44 program is better provided under a different program through the
45 Department of Human Services or the Department of Labor and
46 Workforce Development, especially those trip requests that would
47 not otherwise be eligible to be provided under the Access Link
48 program.

1 c. Following the effective date of P.L. , c. (C.)
2 (pending before the Legislature as this bill), the corporation shall
3 not enter into any contract, or exercise any option to extend an
4 existing contract, concerning the provision of Access Link service
5 unless the contract or option includes a provision that the fixed
6 costs of the contract or option shall be proportionately reduced to
7 reflect any reduction in the provision of regular and recurring trips
8 provided by the contractor that are subsequently fulfilled by another
9 paratransit provider. The corporation shall establish minimum
10 operating standards for any paratransit provider that may wish to
11 participate in this program to ensure that all applicable federal
12 standards are met by the paratransit provider and that adequate
13 safeguards are provided to customers.

14 d. The corporation shall utilize the paratransit best practices
15 training module developed pursuant to subsection b. of section 5 of
16 P.L. , c. (C.) (pending before the Legislature as this bill) in
17 meeting the requirements of this section. The corporation, when
18 establishing the open software platform, required pursuant to
19 subsection a. of this section, shall ensure that the platform is
20 affordable for the corporation to adopt and easily implemented by
21 the various paratransit providers that will utilize the software
22 platform.

23

24 5. a. (1) The Division of Developmental Disabilities within the
25 Department of Human Services, in consultation with the New
26 Jersey Transit Corporation, shall develop and implement a
27 paratransit best practices pilot program.

28 (2) The division, in consultation with the New Jersey Transit
29 Corporation, shall select a qualified community organization to
30 assist it in developing and implementing the pilot program. The
31 qualified community organization shall meet the following criteria:

32 (a) the organization shall operate a facility that provides services
33 to persons with intellectual or developmental disabilities;

34 (b) the organization shall directly provide paratransit services to
35 persons with disabilities with those services paid, in whole or in
36 part, by funds received from the Department of Human Services and
37 the Division of Vocational Rehabilitation Services within the
38 Department of Labor and Workforce Development;

39 (c) within the previous five years, the organization has received a
40 Federal Transit Administration grant awarded by and administered
41 through the New Jersey Transit Corporation for improvement to
42 paratransit services;

43 (d) during the previous five-year period, the organization has
44 demonstrated improvement in key performance metrics, including
45 average trip time, vehicle accidents, and cost per passenger mile for
46 paratransit services; and

1 (e) the organization provides transportation trips on a sufficient
2 scale, including at least 250 daily trips under normal operating
3 conditions.

4 b. Phase one of the pilot program shall include the following:

5 A training module for paratransit best practices shall be
6 developed jointly by the qualified community organization and the
7 New Jersey Transit Corporation and subject to approval by the
8 division. The training module shall include: (1) an integrated
9 paratransit software package that includes trip generation and
10 scheduling, GPS directions for drivers, a mobile application for
11 users that allows for trip requests, confirmation of trip requests, and
12 trip status updates, and a trip accounting system; (2) a driver safety
13 system that includes dashboard cameras, incident monitoring, and
14 driver training; (3) assistance in hiring staff if necessary to fully
15 implement the transportation system and train existing staff in the
16 use of new technologies and business processes; (4) a curriculum
17 that educates agencies about fleet management and specialized
18 driver training for the needs of paratransit users; (5) personalized
19 agency culture training; and (6) agency training on how to develop
20 synergies between optimal transportation practices and the other
21 programmatic needs of paratransit providers who provide
22 transportation trips funded by the Department of Human Services.

23 c. Phase two of the pilot program shall include the following:

24 The division shall establish an application process where up to
25 five paratransit providers that provide transportation trips directly
26 funded by the Department of Human Services or the Division of
27 Vocational Rehabilitation Services within the Department of Labor
28 and Workforce Development are selected by the division, in
29 consultation with the qualified community organization, to receive
30 training in paratransit best practices from the qualified community
31 organization. When selecting service providers to receive training,
32 the division shall consider the cost for the paratransit provider to
33 adopt these best practices, which may include but is not necessarily
34 limited to the acquisition of new software, hiring of staff, and any
35 necessary changes in vehicle fleet composition as well as potential
36 savings that the paratransit provider will be likely to realize from
37 reducing average trip time, vehicle accidents, and cost per
38 passenger mile by adopting these best practices and the likelihood
39 that those savings could self-fund the adoption of the best practices.
40 Any paratransit providers selected to participate in the pilot
41 program shall receive training from the qualified community
42 organization.

43 d. Phase three of the pilot program shall include the following:

44 (1) If the efficiencies realized by the paratransit providers that
45 received training in phase two are sufficient to justify widespread
46 adoption, then the division and corporation, in consultation with the
47 qualified community organization, shall expand the training
48 program by further developing the module into a best practices

1 training package designed in a manner that allows a paratransit
2 provider to independently adopt the best practices and software on
3 its own, or in conjunction with assistance provided generally
4 through the paratransit coordinating councils established in
5 accordance with section 6 of P.L. , c. (C.) (pending before
6 the Legislature as this bill). It is intended that this phase three
7 training module shall allow for the eventual integration of
8 paratransit services throughout the State. Integration of paratransit
9 services shall mean the widespread adoption of the software
10 developed pursuant to phase one of the pilot program, or similarly
11 compatible software, so that requested trips by customers may be
12 fulfilled, if possible, by any applicable paratransit provider, and that
13 paratransit providers shall meet the minimum operating standards
14 established by the New Jersey Transit Corporation so that those
15 paratransit providers may compete for regular and routine Access
16 Link trips under the revised Access Link program as described in
17 section 4 of P.L. , c. (C.) (pending before the Legislature
18 as this bill).

19 If the efficiencies realized in phase two do not justify expansion
20 of the training program further, then the division and corporation, in
21 consultation with the qualified community organization, shall
22 determine an alternate method of integrating paratransit services
23 throughout the State in a manner that allows paratransit providers
24 that meet minimum operating standards to compete for regular and
25 routine Access Link trips under the revised Access Link program as
26 described in section 4 of P.L. , c. (C.) (pending before the
27 Legislature as this bill).

28 (2) The regional paratransit coordinating councils shall be
29 established in accordance with section 6 of P.L. , c. (C.)
30 (pending before the Legislature as this bill).

31 e. The New Jersey Transit Corporation shall utilize the
32 complete paratransit best practices training module, including the
33 associated software, when making changes to its paratransit service
34 and the Access Link program to comply with the requirements of
35 section 4 of P.L. , c. (C.) (pending before the Legislature
36 as this bill).

37 f. (1) The New Jersey Transit Corporation shall enter into a
38 contract with the qualified community organization that
39 compensates the qualified community organization for its costs in
40 developing the paratransit best practices training module as required
41 for phase one of the pilot program as established in subsection b. of
42 this section, and providing the training module as a publicly
43 available resource that can be utilized by other paratransit providers
44 in the State and used by the corporation for its own paratransit
45 services. If phases one and two of the pilot program are determined
46 to be successful, the corporation shall also enter into a contract with
47 the qualified community organization to further develop the training
48 module into a self-administered best practices training package as

1 required for phase three of the pilot program in subsection d. of this
2 section. The self-administered best practices training package shall
3 also be a publicly available resource that can be utilized by other
4 paratransit providers in the State and by the corporation for its own
5 paratransit services.

6 (2) The division shall enter into a contract with the qualified
7 community organization for the actual training of agencies under
8 the pilot program, which shall include performance standards as the
9 division shall deem appropriate to ensure that the agencies being
10 trained are adequately prepared to implement safer, more efficient,
11 user friendly, and customer-focused transportation services.

12 (3) To the extent possible, the division shall require paratransit
13 providers being trained under the program to first utilize operating
14 savings resulting from adoption of the paratransit best practices
15 training pilot program to fund the costs of software, staff, and
16 equipment that may be required under the program, and limiting the
17 overall costs of the program.

18

19 6. a. There is hereby established within the Department of
20 Human Services six separate regional paratransit coordinating
21 councils. The regional paratransit coordinating councils shall be
22 organized as follows:

23 (1) one council shall cover the counties of Atlantic, Cape May,
24 Cumberland, Gloucester, and Salem;

25 (2) one council shall cover the counties of Burlington, Camden,
26 and Ocean;

27 (3) one council shall cover the counties of Mercer, Middlesex,
28 and Monmouth;

29 (4) one council shall cover the counties of Hunterdon, Sussex,
30 and Warren;

31 (5) one council shall cover the counties of Essex, Morris,
32 Somerset, and Union; and

33 (6) one council shall cover the counties of Bergen, Hudson, and
34 Passaic.

35 b. Each regional paratransit coordinating council shall have the
36 following members:

37 (1) one designee of the Director of the Division of
38 Developmental Disabilities in the Department of Human Services;

39 (2) one designee of the New Jersey Transit Corporation who
40 works on the Access Link program or the Senior Citizen and
41 Disabled Resident Transportation Assistance Program;

42 (3) one representative of any company or entity that has
43 contracted with the New Jersey Transit Corporation to provide
44 Access Link paratransit service within the region;

45 (4) one representative of each county within the respective
46 region to be chosen by the county executive director or by the board
47 of freeholders, as applicable;

1 (5) one representative of each county transportation agency or
2 other comparable entity within the respective region that provides
3 paratransit service for a county under the Senior Citizen and
4 Disabled Resident Transportation Assistance Program;

5 (6) one representative from each county chapter of the Arc of
6 New Jersey within the respective region;

7 (7) one individual that represents one or more members of the
8 Alliance for the Betterment of Citizens with Disabilities within the
9 respective region;

10 (8) one representative of Community Access Unlimited within
11 the respective region;

12 (9) one representative of the New Jersey Association of
13 Community Providers within the respective region; and

14 (10) up to three additional appointees of the Director of the
15 Division of Developmental Disabilities to represent paratransit
16 providers within the region that provide the most passenger trips to
17 persons with disabilities.

18 c. Each agency with an eligible representative of a regional
19 paratransit coordinating council provided in subsection b. of this
20 section shall submit information in a form and manner determined
21 by the Director of the Division of Developmental Disabilities to the
22 director not later than 30 days following the enactment of P.L. ,
23 c. (C.) (pending before the Legislature as this bill) and on or
24 before January 1 of each year thereafter identifying the name and
25 contact information for the person to represent each respective
26 agency. The term for each member on the regional paratransit
27 coordinating council shall be one year provided, however, that any
28 member may be selected to serve on the council for subsequent
29 terms at the discretion of the respective agency. The director may
30 appoint one member of each regional paratransit coordinating
31 council to serve as the chair of that council.

32 d. Each regional paratransit coordinating council shall meet not
33 less than quarterly, with the first meeting happening not less than 60
34 days following the enactment of P.L. , c. (C.) (pending
35 before the Legislature as this bill). The chair, in consultation with
36 the other members of the council, shall set meeting dates and shall
37 lead the coordination effort. The members shall serve without
38 compensation but may be reimbursed by the division for reasonable
39 expenses incurred in the execution of their duties.

40 e. The purpose of the regional paratransit coordinating councils
41 is to exchange best practices among paratransit providers within the
42 State. Those best practices shall include but are not limited to
43 scheduling and routing, fleet maintenance, driver training, customer
44 communications, safety practices, and improving the customer
45 usability experience. The councils are also to establish a system to
46 exchange information among and between paratransit providers and
47 eventually open platform standards so that: (1) each paratransit
48 provider may provide basic information to its customers about other

1 paratransit service options within each respective region; (2)
2 paratransit providers may eventually share customer trip requests
3 amongst each other; and (3) a single platform may eventually be
4 developed that enables a paratransit user to visit a single platform or
5 place to request a trip, and that trip may be distributed amongst the
6 paratransit providers in a manner that optimizes State cost and
7 customer experience. The councils shall also exchange budget
8 information and investigate more efficient means of organizing the
9 New Jersey Transit Corporation's expenditures for paratransit
10 services, use of State casino revenue funds, and appropriations for
11 the division related to paratransit services, for the purpose of
12 coordinating these three respective funding pools to eliminate any
13 duplicative funding, and to direct trips and funding to service
14 providers that offer the highest quality service and overall best
15 value.

16 f. The county plans required under section 6 of P.L.1983,
17 c.578 (C.27:25-30) and any committees or groups organized to
18 effectuate the purposes of the "Senior Citizen and Disabled
19 Resident Transportation Assistance Act." P.L.1983, c.578 (C.27:25-
20 25 et seq.) shall be consolidated into the regional paratransit
21 coordinating councils. If necessary, county level subcommittees of
22 the regional paratransit coordinating councils may be established to
23 more effectively develop county plans; however, following the
24 effective date of P.L. , c. (C.) (pending before the
25 Legislature as this bill) county plans shall also take into account the
26 larger regional and Statewide goals of integrating paratransit service
27 and creating a more cohesive user experience under the pilot
28 program established in P.L. , c. (C.) (pending before the
29 Legislature as this bill).

30 g. The New Jersey Transit Corporation shall utilize each
31 regional paratransit coordinating council to disseminate information
32 about the new Access Link program structure developed pursuant to
33 section 4 of P.L. , c. (C.) (pending before the Legislature
34 as this bill) and coordinate with the council in determining the
35 operating standards required for paratransit providers to compete to
36 provide Access Link trips and when developing the system for
37 paying paratransit providers to provide regular and routine trips
38 requested through the Access Link program.

39 h. The regional paratransit coordinating councils shall also
40 advise other paratransit providers in each region and develop
41 support materials to assist other paratransit providers in adopting
42 and implementing the best practices training package developed
43 under phase three of the pilot program established pursuant to
44 paragraph (1) of subsection d. of section 5 of P.L. , c. (C.)
45 (pending before the Legislature as this bill).

46

47 7. The division, in consultation with the New Jersey Transit
48 Corporation, shall develop a framework to evaluate the efficacy of

1 the paratransit best practices training materials as well as the
2 training program. Within 180 days of the completion of phase two
3 and within 180 days of completion of phase three of the pilot
4 program, the division shall deliver a report to the Governor and the
5 Legislature. Each report shall include feedback from the agencies
6 that received training, a fiscal analysis of each agency with
7 projections on how the implementation of the training will impact
8 each agency's safety performance, average trip times, cost per trip,
9 number of trips provided, and overall impact on each agency's core
10 mission of serving people with disabilities. The division and
11 corporation shall conduct a survey of consumers of paratransit
12 services within the pilot program and shall include feedback from
13 these consumers in the report. The report shall include
14 recommendations from the division and the New Jersey Transit
15 Corporation concerning whether the pilot program should be
16 extended or made permanent, suggested changes to the program,
17 opportunities for improvement, and the potential for future savings.
18 The report shall also identify the extent to which software from the
19 pilot has been integrated into the corporation's paratransit services,
20 the analysis that determined how to execute the integration required
21 under the first part of phase three of the pilot program, and findings
22 from the division and the corporation about the overall change in
23 coordination between paratransit providers throughout the State at
24 the time of the report.

25

26 8. There is appropriated from the General Fund to The New
27 Jersey Transit Corporation up to \$4,000,000 from a portion of the
28 additional Federal Transit Administration funds granted in FY 2020
29 under the Section 5307 Urbanized Area Program, pursuant to the
30 provisions of the "Coronavirus Aid, Relief, and Economic Security
31 Act," Pub.L.116-136, exclusively for eligible costs to develop the
32 paratransit best practices training module, including but not limited
33 to, software development and licensing costs as required pursuant to
34 section 5 of P.L. , c. (C.) (pending before the Legislature
35 as this bill).

36

37 9. There is appropriated \$2,000,000 from the General Fund to
38 the Division of Developmental Disabilities in the Department of
39 Human Services, which shall be used to fund the paratransit training
40 pilot program established pursuant section 5 of P.L. ,
41 c. (C.) (pending before the Legislature as this bill)

42

43 10. This act shall take effect immediately.

STATEMENT

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This bill reforms the State’s system of providing paratransit services. The goal of the reforms is to better integrate the various types of paratransit service currently offered in the State, allow lower cost providers to provide more of the trips, and ensure that best practices are adopted across the State.

The bill requires the New Jersey Transit Corporation (NJ Transit) to better integrate its paratransit services with other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that it directly manages, administers, or supports financially develops an open software platform that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to begin identifying regular and recurring trips, and to develop a system where other paratransit providers can complete those trips on behalf of NJ Transit if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill also requires NJ Transit to develop an Access Link program structure that allows NJ Transit to realize cost savings when reducing Access Link trip volumes, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system. The bill also encourages NJ Transit to move trips requested under the Access Link program to other State based programs entirely, especially if those trip requests are not eligible under the Access Link program. This is intended to provide greater integration of paratransit service across the State, so that NJ Transit can allow paratransit providers to compete for regular and routine Access Link trips.

The bill requires the establishment of a best practices pilot training program for paratransit providers. The program is to be run by the Division of Developmental Disabilities (division) in consultation with NJ Transit and a qualified community organization to be selected by the division. Under the first phase of the program, the qualified community organization and NJ Transit will develop a paratransit best practices training module, with final approval from the division. Under the second phase, the division is to select five paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with the division. The training will include modern trip making software, trip confirmation, scheduling, a mobile phone application for customers, dashboard camera safety technology, as well as agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot, phase three will involve either revising the training module into a training

1 program that other paratransit providers can adopt without direct
2 training from the qualified community organization, or NJ Transit,
3 the division, and the qualified community organization will
4 determine some other method of integrating paratransit service so
5 that paratransit providers meeting certain standards can compete for
6 regular and routine paratransit trips. The second part of phase three
7 involves the establishment of regional paratransit coordinating
8 councils.

9 The bill creates new regional paratransit coordinating councils
10 (coordinating councils). The coordinating councils are to be located
11 within the Department of Human Services. There are to be six
12 coordinating councils divided geographically by county.
13 Membership on the coordinating councils include the division, NJ
14 Transit, NJ Transit Access Link contractors from each service
15 region, county government, county paratransit system operators,
16 several listed community organizations, and up to three additional
17 paratransit providers from each region as chosen by the division.
18 The coordinating councils are to meet at least quarterly and share
19 best practices. They are also required to establish a system to
20 exchange information between paratransit providers and eventually
21 develop open platform standards and share budget information. The
22 coordinating councils will replace the county based councils used to
23 develop county plans under the Senior Citizen and Disabled
24 Resident Transportation Assistance Program, but the councils may
25 establish county level subcommittees for this purpose. The county
26 plans also must now account for the efforts of this bill to integrate
27 Statewide paratransit service under a unified platform and
28 improving Statewide coordination across geography and across
29 agency. The coordinating councils are also to be utilized by NJ
30 Transit to develop its revised Access Link program so that the
31 paratransit providers on the council can be used as a resource when
32 allowing paratransit providers to compete for regular and routine
33 Access Link trips. Finally the coordinating councils are to serve as
34 a resource and develop materials to assist other paratransit
35 providers in achieving the integration objectives in the first part of
36 phase three of the pilot program, either through the revised training
37 module or the alternate solution developed.

38 The bill requires the division to issue a report with NJ Transit to
39 the Governor and the Legislature at the end of the pilot program
40 with information on the pilot program and a recommendation on
41 whether or not to continue the pilot program, as well as an analysis
42 of the decisions made about how to proceed with the Statewide
43 integration required in the first part of the third phase of the pilot
44 program. The division and NJ Transit are also required to survey
45 users about how their user experience is impacted by the pilot
46 program and changes to the Access Link program, and report on
47 how each have impacted paratransit users.

A4208 BENSON, MURPHY

14

1 The bill provides a supplemental appropriation of federal funds
2 to NJ Transit for the cost of developing the training module and
3 related software development, and a general fund appropriation to
4 the division for the cost of the pilot's phase two training program.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4208

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 4208.

As amended and reported, this bill reforms the State's system of providing paratransit services. The goal of the reforms is to better integrate the various types of paratransit service currently offered in the State, allow lower cost providers to provide more of the trips, and ensure that best practices are adopted across the State.

The bill requires the New Jersey Transit Corporation (NJ Transit) to better integrate its paratransit services with other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that it directly manages, administers, or supports financially, utilizes a software package that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to begin identifying regular and recurring trips, and to develop a system where other paratransit providers can complete those trips on behalf of NJ Transit if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill also requires NJ Transit to redesign the Access Link program under a brokerage model that allows NJ Transit to realize cost savings when reducing the number of Access Link trips fulfilled by contract providers, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system. The bill also encourages NJ Transit to shift some trips requested under the Access Link program to other State based programs, especially if those trip requests are not eligible under the Access Link program. This is intended to provide greater integration of paratransit service across the State, so that NJ Transit can allow paratransit providers to compete for regular and routine Access Link trips.

The bill requires the establishment of a best practices pilot training program for paratransit providers. The program is to be run by NJ Transit and a qualified community organization to be selected by NJ

Transit. Under the first phase of the program, the qualified community organization and NJ Transit will develop a paratransit best practices training module. Under the second phase, NJ Transit is to select five paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with NJ Transit. The training will include modern trip making software, trip confirmation, scheduling, a mobile phone application for customers, dashboard camera safety technology, as well as agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot, phase three will involve either revising the training module into a training program that other paratransit providers can adopt without direct training from the qualified community organization, or NJ Transit and the qualified community organization will determine some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils (coordinating councils). There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the Division of Developmental Disabilities, NJ Transit, NJ Transit Access Link contractors from each service region, county government, county paratransit system operators, and several listed community organizations. The coordinating councils are to meet at least quarterly and share best practices. They are also required to establish a system to exchange information between paratransit providers and share budget information. The coordinating councils will replace the county based councils used to develop county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program, but the councils may establish county level subcommittees for this purpose. The county plans also must now account for the efforts of this bill to integrate Statewide paratransit service under a unified platform and improve Statewide coordination across geography and across agency. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires NJ Transit to issue a report to the Governor and the Legislature at the end of the pilot program with information on the

pilot program and a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first part of the third phase of the pilot program. The division and NJ Transit are also required to survey users about how their user experience is impacted by the pilot program and changes to the Access Link program, and report on how each have impacted paratransit users.

COMMITTEE AMENDMENTS

The committee amended the bill to transfer the lead duties of the pilot program to NJ Transit rather than the Division of Developmental Disabilities. Most references to the division in the bill are removed and replaced with reference to the Department of Human Services. The amendments also remove the appropriations from the bill.

The amendments provide clarification that the Access Link program is not to serve as a provider of last resort but that the restructured program should use contract providers as a safety net rather than as the primary paratransit providers under the program. The amendments clarify that certain provisions apply only to corporation paratransit service, as that term is newly defined in the bill. The amendments remove reference to an “open software platform” and replace it with reference to routing, scheduling, and dispatch software requirements for NJ Transit contract providers.

As amended, the regional paratransit coordinating councils are no longer located within the Department of Human Services. Representatives from the New Jersey Council on Special Transportation, Easterseals New Jersey, and transportation providers for senior citizens or for health care services are added to the council. The amendments modify one of the county government representatives by requiring that the county representative be from the county office of aging.

The amendments shift the responsibility of issuing the reports required under the bill from the Division of Developmental Disabilities to NJ Transit.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4208

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4208 (1R).

This bill reforms the State's system of providing paratransit services. The goal of the reforms is to better integrate the various types of paratransit service currently offered in the State, allow lower cost providers to provide more of the trips, and ensure that best practices are adopted across the State.

The bill requires the New Jersey Transit Corporation (NJ Transit) to better integrate its paratransit services with other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit service that it directly manages, administers, or supports financially, utilizes a software package that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to begin identifying regular and recurring trips, and to develop a system where other paratransit providers can complete those trips on behalf of NJ Transit if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill also requires NJ Transit to redesign the Access Link program under a brokerage model that allows NJ Transit to realize cost savings when reducing the number of Access Link trips fulfilled by contract providers, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system. The bill also encourages NJ Transit to shift some trips requested under the Access Link program to other State based programs, especially if those trip requests are not eligible under the Access Link program. This is intended to provide greater integration of paratransit service across the State, so that NJ Transit can allow paratransit providers to compete for regular and routine Access Link trips.

The bill requires the establishment of a best practices pilot training program for paratransit providers. The program is to be run by NJ Transit and a qualified community organization to be selected by NJ Transit. Under the first phase of the program, the qualified community organization and NJ Transit will develop a paratransit best practices training module. Under the second phase, NJ Transit is to select five

paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with NJ Transit. The training will include modern trip making software, trip confirmation, scheduling, a mobile phone application for customers, dashboard camera safety technology, as well as agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot, phase three will involve either revising the training module into a training program that other paratransit providers can adopt without direct training from the qualified community organization, or NJ Transit and the qualified community organization will determine some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils (coordinating councils). There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the Division of Developmental Disabilities, NJ Transit, NJ Transit Access Link contractors from each service region, county government, county paratransit system operators, and several listed community organizations. The coordinating councils are to meet at least quarterly and share best practices. They are also required to establish a system to exchange information between paratransit providers and share budget information. The coordinating councils will replace the county based councils used to develop county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program, but the councils may establish county level subcommittees for this purpose. The county plans also must now account for the efforts of this bill to integrate Statewide paratransit service under a unified platform and improve Statewide coordination across geography and across agency. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires NJ Transit to issue a report to the Governor and the Legislature at the end of the pilot program with information on the pilot program and a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first part of

the third phase of the pilot program. The division and NJ Transit are also required to survey users about how their user experience is impacted by the pilot program and changes to the Access Link program, and report on how each have impacted paratransit users.

FISCAL IMPACT:

The Office of Legislative Services finds that the New Jersey Transit Corporation (NJ Transit) will realize increased costs in order to establish the paratransit best practices pilot program, restructure the Access Link program, and to staff and oversee the coordinating councils. These costs will restructure the provision of paratransit services in the State in a way that will generate savings for NJ Transit by reducing the cost of the Access Link program and for the Department of Human Services (DHS) by reducing the cost of paratransit trips funded by DHS and provided by community organizations. The magnitude of such costs and savings will depend upon the success of the pilot program and the implementation of a brokerage model for the Access Link program. The expected costs of the pilot program and paratransit coordinating councils are expected to be less than \$8 million. The cost of creating a brokerage model for Access Link will involve notable IT costs and depend upon how the model is developed. The paratransit best practices training program is structured in phases, which will only proceed if prior phases are successful. This mechanism will allow some costs of the pilot program to be averted if they are not successful in driving cost savings as intended.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4208

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: AUGUST 31, 2020

SUMMARY

- Synopsis:** Establishes program to adopt paratransit best practices, requires greater coordination among paratransit service providers, and establishes regional paratransit coordinating councils.
- Type of Impact:** Multi-year State expenditure increase; potential long-term decrease in State costs.
- Agencies Affected:** New Jersey Transit, Department of Human Services.

Office of Legislative Services Estimate

Fiscal Impact	
Multi-Year State Cost Increase	Indeterminate
Potential Long-Term Cost Savings	Indeterminate

- The Office of Legislative Services finds that the New Jersey Transit Corporation (NJ Transit) will incur multi-year cost increases in order to establish the paratransit best practices pilot program, restructure the Access Link program, and to staff and oversee the coordinating councils. The restructuring of paratransit services will potentially generate savings over time for NJ Transit by reducing the cost of the Access Link program and for the Department of Human Services (DHS) by reducing the cost of paratransit trips funded by DHS and provided by community organizations.
- The magnitude of such costs and savings will depend upon the success of the pilot program and the implementation of a brokerage model for the Access Link program. The expected costs of the pilot program and paratransit coordinating councils are expected to be less than \$8 million. The cost of creating a brokerage model for Access Link will involve notable additional IT costs and depend upon how the model is developed.
- The paratransit best practices training program is structured in phases, which will only proceed if prior phases are successful. This mechanism will allow some costs of the pilot program to be averted if they are not successful in driving cost savings as intended.

- Whether the pilot program and redesign of the Access Link program will result in a net increase or decrease in costs cannot be determined at this time and will depend upon various decisions made by NJ Transit about how to implement the provisions of the bill, and the success of the agency that administers the best practices training.

BILL DESCRIPTION

The bill requires the New Jersey Transit Corporation to better integrate its paratransit services with those of other paratransit services. Under the bill, this is achieved by requiring NJ Transit to ensure that all paratransit services that it directly manages, administers, or supports financially, utilize a software package that will be compatible with the software used by other paratransit providers. The bill requires NJ Transit to begin identifying regular and recurring trips, and to develop a system where other paratransit providers can complete those trips on behalf of NJ Transit if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill also requires NJ Transit to redesign the Access Link program under a brokerage model that allows NJ Transit to realize cost savings when reducing the number of Access Link trips fulfilled by contract providers, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system. The bill also encourages NJ Transit to shift some trips requested under the Access Link program to other State based programs, especially if those trip requests are not eligible under the Access Link program. This is intended to provide greater integration of paratransit service across the State, so that NJ Transit can allow paratransit providers to compete for regular and routine Access Link trips.

The bill requires the establishment of a best practices pilot training program for paratransit providers. The program is to be run by NJ Transit and a qualified community organization to be selected by NJ Transit. Under the first phase of the program, the qualified community organization and NJ Transit will develop a paratransit best practices training module. Under the second phase, NJ Transit is to select five paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. The qualified community organization will then provide the training to each of the five paratransit providers under a training contract with NJ Transit. The training will include modern trip making software, trip confirmation, scheduling, a mobile phone application for customers, dashboard camera safety technology, as well as agency-wide and individual employee training and guidance. Depending upon the success of phase two of the pilot, phase three will involve either revising the training module into a training program that other paratransit providers can adopt without direct training from the qualified community organization, or NJ Transit and the qualified community organization will determine some other method of integrating paratransit service so that paratransit providers meeting certain standards can compete for regular and routine paratransit trips. The second part of phase three involves the establishment of regional paratransit coordinating councils.

The bill creates new regional paratransit coordinating councils. There are to be six coordinating councils divided geographically by county. Membership on the coordinating councils include the Division of Developmental Disabilities, NJ Transit, NJ Transit Access Link contractors from each service region, county government, county paratransit system operators, and several listed community organizations. The coordinating councils are to meet at least quarterly and share best practices. They are also required to establish a system to exchange information between paratransit providers and eventually develop open platform standards and share budget information. The coordinating councils will replace the county based councils used to develop county plans under the Senior Citizen and Disabled Resident Transportation Assistance Program,

but the councils may establish county level subcommittees for this purpose. The county plans also must now account for the efforts of this bill to integrate Statewide paratransit service under a unified platform and improve Statewide coordination across geography and across agency. The coordinating councils are also to be utilized by NJ Transit to develop its revised Access Link program so that the paratransit providers on the council can be used as a resource when allowing paratransit providers to compete for regular and routine Access Link trips. Finally, the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of phase three of the pilot program, either through the revised training module or the alternate solution developed.

The bill requires NJ Transit to issue a report to the Governor and the Legislature at the end of the pilot program with a recommendation on whether or not to continue the pilot program, as well as an analysis of the decisions made about how to proceed with the Statewide integration required in the first part of the third phase of the pilot program. The division and NJ Transit are also required to survey users about how their user experience is impacted by the pilot program and changes to the Access Link program, and report on how each have impacted paratransit users.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that NJ Transit will realize increased costs to implement the provisions of this bill. The main cost components of the bill involve the development of the pilot program to provide paratransit best practices training, the establishment of regional coordinating councils, and the redesign of the Access Link program under a brokerage model.

The best practices pilot program has multiple phases. In the first phase, a community organization is to be identified by NJ Transit, based on a series of performance and transportation expertise factors, to develop best practices training materials. The organization is also to work with NJ Transit to develop routing, scheduling, and dispatch software for the agencies that is customized to the needs of DHS and is also designed to integrate with the NJ Transit software used to implement the Access Link brokerage model.

One of the DHS-funded community organizations that meets the criteria in the bill recently developed similar software and best practices approaches internally through an NJ Transit matching grant at a total cost of less than \$500,000, which could serve as a good baseline for the cost of developing the materials needed for the first phase. Once subject to the additional requirements to integrate with the NJ Transit brokerage model and to develop the software in a way that provides NJ Transit with ownership of the software rather than a licensing structure, so that it can be freely distributed to other DHS agencies, the cost would likely be higher than the baseline. The magnitude of that increase is not clear.

Phase two will have the same community organization from phase one administer best practices training to five other DHS-funded community organizations that apply for the training. This agency is to work one-on-one with the other five agencies to provide training to these organizations on how to modernize their paratransit operations and acquire the software and technology needed to professionalize their transportation departments. The agency that provides

the one-on-one training would likely need funding to hire staff in order to provide this one-on-one training, funding to support the acquisition of new software, and staff time and resources to administer the program for both NJ Transit, DHS, and for the training agency. The potential salary of such training and administrative staff may vary, but could generally be expected to cost approximately \$100,000 per year for salary, fringe benefits, and basic office setup. Assuming two staff members to train each agency would result in a \$1 million in staffing costs for the training pilot. Senior staff from the training agency could represent additional labor costs that would have to dedicate a portion of their time to the training program. NJ Transit and DHS will likely need at least one or two similar program administration staff to oversee the program. Total staffing costs will likely be greater than \$1 million but less than \$2 million. The bill provides a General Fund appropriation of \$2 million for this purpose, which seems reasonable.

There will then be notable costs to procure software for the training agencies. Those costs are unclear and the bill does not specify the distribution of costs for software and technology to modernize these five agencies. It may be reasonably expected that NJ Transit and DHS will base the design of the training program to establish expectations about how much of the software and technology modernization burden will fall upon NJ Transit to be administered as training grants, and how much will have to be borne by the applicants who will need to make investments into their transportation departments in order to modernize and drive efficiency. It is not unreasonable to expect that NJ Transit may dedicate an additional \$1 million per agency in software and technology grants or \$5 million, but could be less if the training program allows these agencies to realize significant savings. This would leave phase two at a cost of \$6-7 million.

Phase three is only to take place if phase two is successful, and involves the conversion of the one-on-one training into a self-training module so that some of the more than 200 DHS-funded transit agencies can benefit from these best practices without costly one-on-one training or significant technology grants. The training agency would need additional funding to convert this training module to a self-training structure, and additional IT costs may be required to ensure that the scheduling, routing, and dispatch software is owned by NJ Transit and can be distributed to community organizations at minimal cost. The cost of this phase is not clear, but is expected to be significantly less on a per agency basis than the phase two training.

In both phases the bill directs NJ Transit to require training agencies to direct cost efficiencies they realize from this training back into their transportation operations, which is expected to mitigate the costs faced by the State in providing software and technology, because they may largely be paid for through operating efficiencies.

The cost of the coordinating councils is expected to be limited to the staff cost for DHS and NJ Transit to oversee the councils and coordinate best practices sharing. There are six regional councils loosely based on Access Link service regions that are required to meet at least quarterly, which would mean up to 24 meetings per year. It is unclear how much staff time such an effort will involve and the degree to which DHS and NJ Transit have existing staff which can manage this effort through some of their existing paratransit coordination efforts.

The bill has reporting requirements to evaluate the effectiveness of the pilot program. The cost of these reporting requirements will depend upon how the report is structured, but it is likely that the program administration staff envisioned in the cost of phase two of the pilot program will also be able to complete this requirement.

The bill also requires NJ Transit to redesign the Access Link program to be administered under a brokerage model. This is a process that NJ Transit had already been moving towards prior to this bill, and the company from which NJ Transit licenses its scheduling software from, The Trapeze Group, has software modules that can be customized specifically to facilitate the transition to a brokerage model for paratransit scheduling and dispatch. Despite this, the conversion from the current contract carrier model to a brokerage model will entail significant cost that cannot be

quantified based on the provisions of the bill. The primary drivers of that cost will depend upon implementation decisions that NJ Transit will make based upon its understanding of its own program needs and how to best meet demand for paratransit service.

Each of these areas of cost are generally intended to be investments to improve paratransit service and increase cost efficiency. It is not possible at this time to quantify those savings, but the per passenger cost of trips on the Access Link program can be up to \$70 per passenger trip based on NJ Transit board meeting reports, and federal requirements do not allow the agency to charge any more for these trips than the agency charges for a standard bus fare, resulting in only modest passenger revenue from Access Link trips. As a result, even limited increases in the cost efficiency of the Access Link program can generate significant annual and per-trip savings. It is important to note though that the realization of those savings will require changes to the contracts NJ Transit has with its Access Link carriers. NJ Transit needs the brokerage model to reduce reliance on high per trip costs fulfilled by contract carriers and replace those with lower per trip costs fulfilled by counties and community agencies.

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 Overhauling Paratransit Practices

10/30/2020

TRENTON – Governor Phil Murphy today signed legislation (S2517) establishing a program to adopt paratransit best practices, requiring greater coordination among paratransit service providers, and establishing regional paratransit coordinating councils.

“Streamlining our paratransit services will finally guarantee our seniors and those with disabilities the safety, ease, reliability, and affordability they have long expected from NJ TRANSIT,” **said Governor Murphy**. “Seniors, and those living with disabilities deserve transportation services that accommodate their needs, and this program will be committed to doing exactly that.”

“Since 2018, NJ TRANSIT has been working aggressively to improve service to customers with disabilities through our indispensable Access Link service,” **said NJ TRANSIT President & CEO Kevin Corbett**. “These efforts include the introduction last year of Access Link Online, which now allows customers to schedule rides, pre-pay fares electronically with EZ-Wallet, and check trip status and the estimated time of arrival of pick-up vehicles. This important legislation will help NJ TRANSIT build on our many efforts to improve mobility and modernize service for our paratransit service, and we’re grateful for Governor Murphy’s commitment to our Access Link customers.”

“Access to transportation is key to the ability of individuals with disabilities to live as independently as possible in the community,” **said Department of Human Services Commissioner Carole Johnson**. “This is about access to jobs, health care and everything that comes with being able to travel around our state. Learning from best practices and improving coordination will help make paratransit a better option for the individuals who rely on it.”

“The importance of transportation to people with disabilities – many of whom do not drive themselves -- cannot be overstated,” **said Paul S. Aronsohn, State Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families**. “For them, the shortage of accessible and affordable transportation options makes their involvement in the community – particularly through employment or day programs -- difficult, if not impossible. For them, planning even basic trips to doctors and grocery stores can often be an ordeal. That is why this common-sense piece of legislation is so important.”

Primary sponsors for S2517 include Senators Stephen M. Sweeney and Loretta Weinberg, and Assemblymembers Daniel R. Benson, Carol A. Murphy, and Valerie Vainieri Huttie.

“This will help update and improve New Jersey’s paratransit services for physically and developmentally disabled people who cannot use regular bus and rail services,” **said Senate President Steve Sweeney**. “We need to bring ‘best practices’ to our paratransit network to meet the needs of the most vulnerable. These reforms are especially important in the wake of the coronavirus crisis, which will put new demands on all mass transit services.”

“We were gratified that NJ Transit from the start showed strong support for reforms that will deliver paratransit services more efficiently for our most vulnerable riders,” **said Senate Majority Leader Loretta Weinberg**. “This law will bring together NJ Transit, the county transportation departments and service providers to develop a coordinated, responsive and cost-effective paratransit network.”

“A person who is elderly or disabled shouldn’t receive lower quality service than others who use public transportation. There needs to be equity in our transit system for all riders,” **said Assemblymembers Daniel Benson, Carol Murphy, and Valerie Vainieri Huttie in a joint statement**. “This new law will improve the reliability of paratransit service by increasing coordination between state paratransit providers, county agencies, and the developmental disability community to improve efficiency, as well as reducing costs and creating best practices for providers to follow. With these investments, we can ensure riders have a safer and smoother trip.”

The bill requires NJ TRANSIT to ensure that all paratransit services managed, administered, or provided directly through NJ TRANSIT’s operating budget utilize routing, scheduling, and dispatch software that will be compatible with the software used by other paratransit providers. The bill also requires NJ TRANSIT to begin identifying

regular and recurring trips under the Access Link program, and to develop a system where other paratransit providers can complete those trips on behalf of NJ TRANSIT if the provider can meet applicable federal standards, provide the trip at a lower cost, and protect customer safety. The bill additionally requires NJ TRANSIT to develop an Access Link program structure that allows NJ TRANSIT to realize cost savings by reducing Access Link trip volumes, and to share those savings with paratransit providers that meet minimum federal standards and successfully compete for regular and routine trips under this new system.

The bill further requires the establishment of a three-phase, best practices pilot training program for paratransit providers. Under the first phase of the program, a qualified community organization and NJ TRANSIT will develop a paratransit best practices training module. Under the second phase, NJ TRANSIT will select five paratransit providers, upon application, to receive training in paratransit best practices under the pilot program. Depending upon the success of Phase Two of the pilot, Phase Three will commence and involve revising the training module into a training program that other paratransit providers can adopt without direct training from the qualified community organization.

Phase Three also involves the establishment of regional paratransit coordinating councils. The coordinating councils are to meet at least quarterly and share best practices among paratransit providers within the State. They are also required to establish a system to exchange information between paratransit providers and share budget information, and may eventually develop a single platform or place for paratransit users to request a trip to optimize consumer experience. Finally, the coordinating councils are to serve as a resource and develop materials to assist other paratransit providers in achieving the integration objectives in the first part of Phase Three of the pilot program, either through the revised training module or the alternate solution developed.

“To be a fully integrated member of any community, transportation is absolutely essential and that is why we are so pleased to see S2517/A4208 signed into law,” **said Thomas Baffuto, Executive Director for the Arc of New Jersey.** “It is imperative that we reduce transportation hurdles for people with intellectual and developmental disabilities (I/DD) so they can fully participate in employment, access social opportunities and engage with peers. It is challenging for people with I/DD to navigate and utilize the current methods of transportation, and we believe this law will enable best practices and get people where they need to go with more direct routes, reduced travel times and fewer roadblocks when scheduling rides. We are immensely proud of The Arc Mercer for their role in thinking outside the box when it comes to transportation best practices and we thank the Senate and Assembly sponsors and the Governor for their support of this critical legislation.”