

39:3B-1.1

**LEGISLATIVE HISTORY CHECKLIST**  
Compiled by the NJ State Law Library

(School buses--safety)

NJSA: 39:3B-1.1

LAWS OF: 1996 CHAPTER: 96

BILL NO: S362

SPONSOR(S): Matheussen

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: ---

SENATE: Budget, Education

AMENDED DURING PASSAGE: Yes Amendments during passage denoted  
Second reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: June 27, 1996

SENATE: June 13, 1996

DATE OF APPROVAL: August 6, 1996

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

SPONSOR STATEMENT: Yes Also attached: statements adopted 6-24-96

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes 6-3-96 & 1-18-96

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

**FOLLOWING WERE PRINTED:**

REPORTS: No

HEARINGS: No

See newspaper clippings--attached:

"NJ buses & safety arms...". 8-7-96, Inquirer.

"Governor signs school bus safety law," 8-7-96, Asbury Park Press.

"Whitman signs school bus safety bill," 8-7-96, Courier News.

§§1 - 4  
C.39:3B-1.1 to  
39:3B-1.4  
§5 - Approp.

P.L. 1996, CHAPTER 96, *approved August 6, 1996*  
Senate No. 362 (*Second Reprint*)  
(CORRECTED COPY)

1 AN ACT concerning the installation of crossing control arms on school  
2 buses <sup>2</sup>[and] <sup>2</sup> supplementing P.L.1965, c.119 (C.39:3B-1 et seq.)  
3 <sup>2</sup> and making an appropriation.<sup>2</sup>  
4

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

7  
8 1. Every school bus <sup>1</sup>in operation on the effective date of P.L. ,  
9 c. (C. )(now pending before the Legislature as this bill) and every  
10 new or used school bus purchased on or after the effective date of  
11 P.L., c. (C. )<sup>1</sup> used to transport pupils pursuant to N.J.S.18A:39-1  
12 et seq. <sup>1</sup>, including buses used to transport all nonpublic  
13 school pupils, <sup>1</sup> shall be equipped with a crossing control arm at the  
14 right front corner of the bus. <sup>1</sup>In each year subsequent to the effective  
15 date of P.L. , c. (C. )(now pending before the Legislature as this  
16 bill), 50 percent of all school bus fleets in operation on the effective  
17 date of P.L. , c. (C. ) owned by a board of education or a school  
18 bus contractor not already equipped with a crossing control arm shall  
19 be so equipped, provided, however that each vehicle used to transport  
20 elementary school students shall be given priority to be equipped with  
21 a crossing control arm in the first year following the effective date.<sup>1</sup>  
22 The arm shall open and extend out from the front of the bus at least 5  
23 1/2 feet each time the bus door is opened. <sup>1</sup>[The use of the crossing  
24 control arm shall not be required on school bus routes where no pupil  
25 need cross a street prior to boarding or upon leaving the bus.]<sup>1</sup>  
26

27 <sup>1</sup>2. Each school district that owns and operates its own school  
28 buses and each school bus contractor that provides transportation

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SBA committee amendments adopted June 3, 1996.

<sup>2</sup> Assembly floor amendments adopted June 24, 1996.

1 services pursuant to N.J.S.18A:39-1 shall receive reimbursement from  
2 the Department of Education in an amount up to, but not to exceed,  
3 \$300 per bus for retrofitting those school buses in operation on the  
4 effective date of P.L. , c. (C. )(now pending before the  
5 Legislature as this bill) and an amount up to, but not to exceed, \$200  
6 per bus for buses put into operation after that date for the cost of  
7 including the crossing control arm on those buses. If any school  
8 district or school bus contractor chooses to equip more than 50  
9 percent of its school buses in any one year, it shall receive a maximum  
10 reimbursement for 50 percent of its school buses for that year.  
11 Reimbursement for retrofitting more than 50 percent of its school  
12 buses will be paid in the subsequent year based on a schedule to be  
13 determined by the Commissioner, not to exceed two years.<sup>1</sup>

14  
15 <sup>1</sup>3. Within 60 days of the effective date of P.L. , c. (C. )(now  
16 pending before the Legislature as this bill), each board of education  
17 and school bus contractor shall submit to the Commissioner of  
18 Education a list of all vehicles that are used to transport students  
19 pursuant to N.J.S.18A:39-1 on the effective date of P.L. , c. (C. )  
20 (now pending before the Legislature as this bill) including: the vehicle  
21 serial number; the year, make and license plate number as noted on  
22 the vehicle registration; and an indication as to whether the vehicle is  
23 currently equipped with a crossing control arm.

24 The owners of such vehicles may apply for reimbursement through  
25 the Department of Education in accordance with section 2 of P.L. ,  
26 c. (C. )(now pending before the Legislature as this bill) on an  
27 application form as the Commissioner of Education shall prescribe.  
28 The application shall be accompanied by a receipt for the purchase of  
29 the crossing control arm through an authorized dealer.<sup>1</sup>

30  
31 <sup>1</sup>[2.] <sup>4</sup><sup>1</sup> The State Board of Education shall adopt rules and  
32 regulations pursuant to the "Administrative Procedure Act," P.L.1968,  
33 c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this  
34 act.

35  
36 <sup>2</sup>5. There is appropriated from the General Fund the sum of  
37 \$2,000,000 to the Department of Education to effectuate the purposes  
38 of this act.<sup>2</sup>

39  
40 <sup>1</sup>[3.]<sup>2</sup>[ 5. ]<sup>6.</sup><sup>2</sup> This act shall take effect immediately <sup>1</sup>[but section  
41 1 shall only apply to school buses with a chassis manufacture date on  
42 or after the first day of the sixth month following the enactment of this  
43 act]<sup>1</sup>.

1

\_\_\_\_\_

2

3 Requires the installation of crossing control arms on school buses;

4 appropriates \$2,000,000.

SENATE, No. 362

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator MATHEUSSEN

1 AN ACT concerning the installation of crossing control arms on school  
2 buses and supplementing P.L.1965, c.119 (C.39:3B-1 et seq.).

3

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

6

7 1. Every school bus used to transport pupils pursuant to  
8 N.J.S.18A:39-1 et seq. shall be equipped with a crossing control arm  
9 at the right front corner of the bus. The arm shall open and extend out  
10 from the front of the bus at least 5 1/2 feet each time the bus door is  
11 opened. The use of the crossing control arm shall not be required on  
12 school bus routes where no pupil need cross a street prior to boarding  
13 or upon leaving the bus.

14

15 2. The State Board of Education shall adopt rules and regulations  
16 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
17 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this act.

18

19 3. This act shall take effect immediately but section 1 shall only  
20 apply to school buses with a chassis manufacture date on or after the  
21 first day of the sixth month following the enactment of this act.

22

23

24

STATEMENT

25

26 This bill requires the installation of a crossing control arm on all  
27 school buses with a chassis manufacture date on or after the first day  
28 of the sixth month following enactment. The bill provides, however,  
29 that the use of the crossing control arm will not be required on school  
30 bus routes where no pupil need cross a street prior to boarding or  
31 upon leaving the bus.

32

33 A crossing control arm is a safety device which is attached to the  
34 right front corner of a school bus. Each time the bus door is opened,  
35 the arm extends outward from the front of the bus. Its purpose is to  
prevent children who must cross the street after exiting the bus from

1 walking too close to the front where the driver may be unable to see  
2 them.

3

4

5

---

6

7 Requires the installation of crossing control arms on public school  
8 buses.

[Corrected Copy]

[Second Reprint]

SENATE, No. 362

# STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators MATHEUSSEN, PALAIA and Inverso

1 AN ACT concerning the installation of crossing control arms on school  
2 buses <sup>2</sup>[and] <sup>2</sup> supplementing P.L.1965, c.119 (C.39:3B-1 et  
3 seq.) <sup>2</sup> and making an appropriation.<sup>2</sup>

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

7  
8 1. Every school bus <sup>1</sup> in operation on the effective date of P.L. ,  
9 c. (C. )(now pending before the Legislature as this bill) and every  
10 new or used school bus purchased on or after the effective date of  
11 P.L., c. (C. )<sup>1</sup> used to transport pupils pursuant to N.J.S.18A:39-1  
12 et seq. <sup>1</sup>, including buses used to transport all nonpublic  
13 school pupils, <sup>1</sup> shall be equipped with a crossing control arm at the  
14 right front corner of the bus. <sup>1</sup>In each year subsequent to the effective  
15 date of P.L. , c. (C. )(now pending before the Legislature as this  
16 bill), 50 percent of all school bus fleets in operation on the effective  
17 date of P.L. , c. (C. ) owned by a board of education or a school  
18 bus contractor not already equipped with a crossing control arm shall  
19 be so equipped, provided, however that each vehicle used to transport  
20 elementary school students shall be given priority to be equipped with  
21 a crossing control arm in the first year following the effective date.<sup>1</sup>  
22 The arm shall open and extend out from the front of the bus at least 5  
23 1/2 feet each time the bus door is opened. <sup>1</sup>【The use of the crossing  
24 control arm shall not be required on school bus routes where no pupil  
25 need cross a street prior to boarding or upon leaving the bus.】<sup>1</sup>

26  
27 <sup>1</sup>2. Each school district that owns and operates its own school  
28 buses and each school bus contractor that provides transportation

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SBA committee amendments adopted June 3, 1996.

<sup>2</sup> Assembly floor amendments adopted June 24, 1996.

1 services pursuant to N.J.S.18A:39-1 shall receive reimbursement from  
2 the Department of Education in an amount up to, but not to exceed,  
3 \$300 per bus for retrofitting those school buses in operation on the  
4 effective date of P.L. , c. (C. )(now pending before the  
5 Legislature as this bill) and an amount up to, but not to exceed, \$200  
6 per bus for buses put into operation after that date for the cost of  
7 including the crossing control arm on those buses. If any school  
8 district or school bus contractor chooses to equip more than 50  
9 percent of its school buses in any one year, it shall receive a maximum  
10 reimbursement for 50 percent of its school buses for that year.  
11 Reimbursement for retrofitting more than 50 percent of its school  
12 buses will be paid in the subsequent year based on a schedule to be  
13 determined by the Commissioner, not to exceed two years.<sup>1</sup>

14  
15 <sup>1</sup>3. Within 60 days of the effective date of P.L. , c. (C. )(now  
16 pending before the Legislature as this bill), each board of education  
17 and school bus contractor shall submit to the Commissioner of  
18 Education a list of all vehicles that are used to transport students  
19 pursuant to N.J.S.18A:39-1 on the effective date of P.L. , c. (C. )  
20 (now pending before the Legislature as this bill) including: the vehicle  
21 serial number; the year, make and license plate number as noted on  
22 the vehicle registration; and an indication as to whether the vehicle is  
23 currently equipped with a crossing control arm.

24 The owners of such vehicles may apply for reimbursement through  
25 the Department of Education in accordance with section 2 of P.L. ,  
26 c. (C. )(now pending before the Legislature as this bill) on an  
27 application form as the Commissioner of Education shall prescribe.  
28 The application shall be accompanied by a receipt for the purchase of  
29 the crossing control arm through an authorized dealer.<sup>1</sup>

30  
31 <sup>1</sup>[2.] 4.<sup>1</sup> The State Board of Education shall adopt rules and  
32 regulations pursuant to the "Administrative Procedure Act," P.L.1968,  
33 c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this  
34 act.

35  
36 <sup>2</sup>5. There is appropriated from the General Fund the sum of  
37 \$2,000,000 to the Department of Education to effectuate the purposes  
38 of this act.<sup>2</sup>

39  
40 <sup>1</sup>[3.]<sup>2</sup>[ 5.<sup>1</sup>]6.<sup>2</sup> This act shall take effect immediately <sup>1</sup>【but section  
41 1 shall only apply to school buses with a chassis manufacture date on  
42 or after the first day of the sixth month following the enactment of this  
43 act】<sup>1</sup>.



1

2

3 Requires the installation of crossing control arms on school buses;

4 appropriates \$2,000,000.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 362**

with Assembly Floor Amendments  
(Proposed By Assemblyman ROBERTS)

ADOPTED: JUNE 24, 1996

This amendment makes an appropriation of \$2,000,000 from the General Fund to the Department of Education to pay for the costs associated with the installation of crossing control arms on school buses as required by the bill.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 362**

with Senate committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 3, 1996

The Senate Budget and Appropriations Committee reports favorably Senate Bill No.362 with amendments.

Senate Bill No.362, as amended, requires the installation of a crossing control arm on all school buses used to transport students to or from public or nonpublic schools.

A crossing control arm is a safety device that is attached to the right front corner of a school bus. Each time the bus door is opened, the arm extends outward from the front of the bus. Its purpose is to prevent children who must cross the street after exiting the bus from walking too close to the front where the driver may be unable to see them.

The bill requires the Department of Education to reimburse each school district that owns and operates its own school buses and each school bus contractor that provides transportation for pupils to and from public or nonpublic schools an amount up to \$300 per bus for retrofitting existing buses and an amount up to \$200 per bus for new buses purchased after enactment.

The bill requires that priority for retrofitting with a crossing control arm be given to all buses that transport elementary school children.

Within 60 days following enactment, each board of education and school bus contractor must submit a list of all buses used to transport children to and from schools. Thereafter, school districts and bus contractors may apply for reimbursement for the costs of crossing arms by filling out forms and attaching receipts for the purchase of the arm through an authorized dealer.

As amended and reported, this bill is identical to Assembly, No. 1567 (1R) ACA of 1996 (Roberts/Bodine).

#### COMMITTEE AMENDMENTS

The committee amended the bill with the approval of the sponsor to:

\* Delete language that would have exempted school buses from the crossing control arm requirement if the bus were operated on

routes where no pupil needed to cross a street prior to boarding or upon leaving the bus.

- \* Require the retrofitting of all existing school buses with crossing control arms.

- \* Provide for a phase-in over a two year period of the requirement to retrofit existing school buses.

- \* Provide for a reimbursement of up to \$300 per bus for retrofitting existing buses and \$200 per bus for new buses purchased after enactment.

- \* Require that priority be given to the installation of crossing control arms on buses transporting elementary school students.

- \* Clarify that the control arm requirement applies to buses used to transport nonpublic school pupils as well as public school pupils.

- \* Require bus owners to provide a list of all school buses used in the State to the Commissioner of Education and to apply to the Department of Education for the authorized reimbursements.

- \* Change the effective date to recognize that the requirement in the bill applies to all existing school buses, not just newly purchased ones.

#### FISCAL IMPACT

This bill requires the Department of Education to reimburse, over a two year period, school districts that own and operate school buses and school bus contractors an amount of up to, but not exceeding, \$300 per bus to retrofit school buses with a crossing control arm and \$200 per bus for the cost of a crossing control arm on each new school bus purchased after enactment. An appropriation to the Department of Education for the costs of these reimbursements is not provided in this bill.

It is estimated that retrofitting of existing school buses will cost the State \$3.6 million over a period of two fiscal years, one half of this amount in fiscal year 1997 and one half in fiscal year 1998. In addition, it is estimated that approximately 1,000 new school buses are purchased annually. The cost to department for reimbursement at an average cost of up to \$200 per new bus will be approximately \$200,000 annually.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 362**

**STATE OF NEW JERSEY**

DATED: JANUARY 18, 1996

The Senate Education Committee reports favorably Senate Bill No. 362.

This bill requires the installation of a crossing control arm on all school buses with a chassis manufacture date on or after the first day of the sixth month following enactment. The bill provides, however, that the use of the crossing control arm will not be required on school bus routes where no pupil need cross a street prior to boarding or upon leaving the bus.

A crossing control arm is a safety device which is attached to the right front corner of a school bus. Each time the bus door is opened, the arm extends outward from the front of the bus. Its purpose is to prevent children who must cross the street after exiting the bus from walking too close to the front where the driver may be unable to see them.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

7/4/96  
GG



## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**CONTACT:** Becky Taylor  
609-777-2600

**TRENTON, NJ 08625**

**RELEASE:** Tuesday  
August 6, 1996

Governor Whitman today signed legislation to enhance the safety of school children throughout the state by requiring all school buses in operation to install crossing control arms and by providing funds to cover the cost of the safety devices.

“Over the past few years, several young children have lost their lives in tragic school bus accidents, said Gov. Whitman. “This measure will save families the heartache of losing a child.”

The legislation mandates that school buses be equipped with crossing control arms that extend outward from the front of the bus to prevent children who are crossing the street from walking too close to the front of the bus, where the bus driver may be unable to see them.

The bill also appropriates \$2 million from the General Fund to the Department of Education to reimburse school districts and school bus owners for the cost of installing the control arm, \$300 for existing buses and \$200 for new buses.

One-half of all existing school buses will be retrofitted with the control arm in each of the next two years. Buses used to transport elementary grade pupils will be retrofitted first.

**S-362/A-1576** was sponsored by Senators John Matheusen (R-Camden/Gloucester) and Joseph Palaia (R-Monmouth) and Assemblymen Joseph Roberts (D-Camden/Gloucester) and Francis Bodine (R-Atlantic/Burlington/Camden).

**Remarks of Governor Christine Todd Whitman  
on signing  
Senate Bill No. 362**

**August 6, 1996**

Good afternoon. In just a few moments, I will sign legislation that will help protect New Jersey's school children from injury as they get on or off their school buses.

Senate Bill 362 requires that every school bus in the state be outfitted with a crossing control arm within the next two years.

The crossing control arm is designed to protect children who must cross the street by preventing them from walking too close to the front of their school bus, where the driver may be unable to see them.

These arms will first be installed on buses used to transport students to and from elementary school. Younger children, because of their size, are at the greatest risk from this type of accident.

Over the past few years, several young children have lost their lives in tragic accidents of this nature. It is our hope that this measure will save families the heartache of losing a child.

In keeping with this Administration's commitment to pay for legislation mandated by the State, \$2 million is being provided to cover the cost of installing these crossing arms on the 12,000 school buses operating in the state.

I'd like to commend Senators Matheussen and Palaia for sponsoring this legislation, along with Assemblymen Roberts and Bodine for their leadership in the Assembly on this bill. Because of their hard work, New Jersey's school children will be safer.

Now, I will sign the bill.