

27:1A-28.7 to 28.13

LEGISLATIVE HISTORY CHECKLIST

NJSA 27:1A-28.7 to 27:1A-28.13 (Bus subsidies-extension)

Laws of 1976 Chapter 119

Bill No. A2232

Sponsor(s) Esposito & others

Date Introduced Sept. 27, 1976

Committee: Assembly -

Senate -

Amended during passage Yes No

Date of passage: Assembly October 7, 1976

Senate Nov. 18, 1976

Date of approval Nov. 18, 1976

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

For background see:

974.90 NJ Legislature. Assembly. Transportation and Communications
T764 Committee.
1976 Committee meeting proceedings regarding bus subsidies
and utility rates. March 3, 1976. Trenton.
[Recommendations went into bill]

JAN 1978

10/4/76

(over)

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DEPARTMENT OF TREASURY

Reports cited in 1976 report:

- 974.90 N.J. Office of Fiscal Affairs
T764 Program analysis of bus and rail subsidies administered
1975g by the State Department of Transportation. 1975
(This was mentioned in the bill.)
- 974.90 N.J. Department of Transportation
T764 New Jersey public transportation study: phase A--
1974h immediate action plan. March, 1974.
- 974.90 N.J. Office of Fiscal Affairs
T764 The Southwestern New Jersey bus feeder subsidy.
1974 Trenton, 1974.
- 974.90 N.J. Department of Transportation
T764 Buses: crisis and response. Trenton, 1969.
1969

ASSEMBLY, No. 2232

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 27, 1976

By Assemblymen ESPOSITO, YATES, FROUDE, CALLI, BURNS,
McMANIMON, PERSKIE, MARTIN and DEVERIN

(Without Reference)

AN ACT concerning public support for railroad and bus services
and supplementing Title 27 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Department of Transportation is hereby authorized to
2 contract with any motor bus carrier operating bus or rail transit
3 service in the State which is in imminent danger of terminating
4 all bus services or all rail transit services provided by said motor
5 bus companies to insure the continuance of that portion of the bus
6 and rail transit services which is essential. Payment by the depart-
7 ment under such a contract shall not exceed the actual cost to the
8 motor bus carrier for providing such services and shall not include
9 any return on investment.

1 2. Any agreement entered into by the commissioner for operating
2 subsidies with bus companies pursuant to P. L. 1969, c. 134 and
3 this act shall, in addition to other provisions determined necessary
4 by him, include a requirement for a quarterly report to the com-
5 missioner as a condition of the agreement. The reports shall
6 provide information sufficient to determine ridership by month,
7 senior citizen ridership by month, operating cost and revenue per
8 mile of scheduled operation and the average subsidy per rider.
9 A 12-month summary of these reports shall annually be made
10 available to the Legislature, through the Office of Fiscal Affairs,
11 with the first such summary being transmitted not later than
12 March 15, 1976. Such a summary shall include an estimate for
13 these items for the next annual period following the period reported.

1 3. If any motor bus carrier shall terminate all bus or all transit
2 services and shall be unable or unwilling to enter into a contract
3 with the Department of Transportation, as provided in section 1

4 hereof, the department may contract, by negotiated agreement, with
5 any other motor bus carrier in the State to render minimum
6 essential motor bus or transit services in the area affected by the
7 termination of services. Such services need not be of the same
8 quality or frequency or along the same routes as the service
9 terminate. Any contract entered into pursuant to the provisions
10 of this section and any services rendered thereunder shall not be
11 subject to regulation by the Board of Public Utility Commissioners
12 or subject to the provisions of articles 2 and 4 of chapter 4 of
13 Title 48 of the Revised Statutes.

1 4. In any proceeding before the Board of Public Utility Commis-
2 sioners for decreasing or abandonment of service, any contract pay-
3 ments offered to a motor bus carrier for continuing service under
4 the provisions of section 1 hereof shall be considered by the board
5 as revenues available to the carrier in making any determination
6 on the application.

1 5. If any public agency or authority shall assume responsibility
2 for operation of motor bus services in order to avoid the loss of
3 such services, the department may enter into a contract with said
4 public agency or authority in the same manner and to the same
5 extent as provided in-section 1 hereof.

1 6. Any contract authorized by the provisions of this act shall be
2 approved by and entered into by the commuter operating agency
3 of the department. As a condition for entering into an agreement
4 authorized by the provisions of this act the department may re-
5 quire the county or counties or public agency thereof in which such
6 essential services are to be provided to enter into an agreement
7 to reimburse the department for not less than 25% of the cost of
8 providing such passenger service. Counties are hereby authorized
9 to enter into such agreements and to appropriate funds to cover
10 the cost of agreements with the department for the purpose of pre-
11 serving essential bus or transit services.

1 7. A 12-member legislative committee is constituted a joint com-
2 mittee to confer with and receive reports from the Commissioner of
3 Transportation with respect to the implementation of this act by
4 the commuter operating agency. The joint committee membership
5 shall include the following:

6 a. The Chairman of the Senate Revenue, Finance and Appropria-
7 tions Committee;

8 b. The Chairman of the General Assembly Appropriations
9 Committee;

10 c. The chairmen of the Senate and General Assembly committees
11 on Transportation and Communications;

12 d. Two members of the Senate Committees on Revenue, Finance
13 and Appropriations and Transportation and Communications to
14 be designated by the President of the Senate; and

15 e. Two members of the General Assembly Committees on Appro-
16 priations and Transportation and Communications to be designated
17 by the Speaker of the General Assembly.

18 Of the members designated pursuant to d. and e. above no more
19 than one from each named committee shall be a member of the same
20 political party.

21 Such report shall be submitted no later than November 15, 1976
22 and annually thereafter, and shall include, in addition to informa-
23 tion as may be specifically requested by the joint committee, or
24 which the commissioner desires to be included in the report, the
25 following:

26 a. Proposals recommended by the Department of Transportation
27 to improve the operation of each subsidized carrier including but
28 not limited to such problems as duplicate routes, incentives in con-
29 tracts to improve carrier efficiency, and the extent to which such
30 proposals affect the subsidy payment to each such carrier.

31 b. Alternatives for solution of current policy questions such as
32 fares and fare structure, and department program objectives and
33 the alternatives for accomplishing those objectives.

34 c. Department problems in developing a comprehensive master
35 plan, including the role of the State regional planning proposals.
36 A department proposal for solving the problem should be included
37 compared to proposals made by other planning agencies.

38 d. Current status of plans implemented in prior years.

39 No expenditure of any appropriation for the purposes of this
40 act shall be made, nor agreements signed requiring any such ex-
41 penditure unless and until the foregoing report is made and ac-
42 cepted by the joint committee; except, that appropriations made
43 available for the balance of the fiscal year 1976 and one-half of
44 the appropriation for fiscal year 1977 shall be exempt from the
45 provisions of this section.

1 8. Any agreements having the same purpose as agreements
2 authorized by this act, heretofore made subsequent to June 30, 1976,
3 between the agency and any motor bus carrier, are hereby validated
4 and confirmed and shall be good and effectual as if they had been
5 made under the provisions of this act.

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1 9. This act shall take effect immediately but shall terminate on
2 July 1, 1977.

STATEMENT

In P. L. 1976, c. 42 the Legislature appropriated funds to the Department of Transportation for the payment of subsidies to motor bus carriers for the provision of passenger service during fiscal year 1977. On July 1, 1976, however, the enabling statute (P. L. 1969, c. 134, as amended) used by the Commuter Operating Agency to contract with motor bus carriers for the provision of such service lapsed. Consequently, this bill reenacts the law as it was prior to July 1, 1976, and extends its effective date through June 30, 1977. Furthermore, the bill validates contracts for the provision of motor bus passenger services entered into subsequent to June 30, 1976.