

18A:7F-25
LEGISLATIVE HISTORY CHECK
 Compiled by the NJ State Law Library

LAWS OF: 1999 **CHAPTER:** 310

NJSA: 18A:7F-25 (Inclusion of students courtesy bused)

BILL NO: A2463 (Substituted for S1364)

SPONSOR(S): Greenwald, Previte and others

DATE INTRODUCED: September 28, 1998

COMMITTEE: **ASSEMBLY:** Education; Appropriations

SENATE: Education; Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 24, 1999

SENATE: November 15, 1999

DATE OF APPROVAL: January 4, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Assembly Committee Substitute A2463/A2496 (1R)
 (Amendments during passage denoted by superscript numbers)

- A2463**
- | | |
|--|-----|
| SPONSORS STATEMENT: (Begins on page 4 of original bill) | Yes |
| COMMITTEE STATEMENT: | No |
| | No |
| | No |
| FLOOR AMENDMENT STATEMENTS: | No |
| LEGISLATIVE FISCAL ESTIMATE: | No |
- A2496**
- | | |
|--|-----|
| SPONSORS STATEMENT: (Begins on page 3 of original bill) | Yes |
| COMMITTEE STATEMENT: | No |
| | No |
| | No |
| FLOOR AMENDMENT STATEMENTS: | No |
| LEGISLATIVE FISCAL ESTIMATE: | No |

(continued)

DEPOSITORY COPY
 Do Not Remove From Library

ASSEMBLY COMMITTEE SUBSTITUTE FOR A2463/A2496

SPONSORS STATEMENT:			No
COMMITTEE STATEMENT:	ASSEMBLY:	Yes	3-11-99 Education
		Yes	6-21-99 Appropriations
	SENATE:	Yes	9-27-99 Education
		Yes	11-8-99 Budget & Appr.
FLOOR AMENDMENT STATEMENTS:			No
LEGISLATIVE FISCAL ESTIMATE:			Yes

S1364

SPONSORS STATEMENT:	(Begins on page 4 of original bill)	Yes	Bill and Sponsors statement identical to A2463
COMMITTEE STATEMENT:	ASSEMBLY:	No	
	SENATE:	No	
FLOOR AMENDMENT STATEMENTS:			No
LEGISLATIVE FISCAL ESTIMATE:			Yes

S1517

SPONSORS STATEMENT:	(Begins on page 2 of original bill)	Yes	
COMMITTEE STATEMENT:	ASSEMBLY:	No	
	SENATE:	No	
FLOOR AMENDMENT STATEMENTS:			No
LEGISLATIVE FISCAL ESTIMATE:			No

SENATE COMMITTEE SUBSTITUTE FOR S1517/S1364

SPONSORS STATEMENT:			No
COMMITTEE STATEMENT:	ASSEMBLY:	No	
	SENATE:	Yes	9-27-99 Education
		Yes	11-8-99 Budget & Appr.
FLOOR AMENDMENT STATEMENTS:			No
LEGISLATIVE FISCAL ESTIMATE:			Yes
SCS for S1517 and S1364			Yes

(continued)

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 633-2111 or blupp@njstatelib.org

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2463 and 2496

STATE OF NEW JERSEY
208th LEGISLATURE

ADOPTED MARCH 11, 1999

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman GUY F. TALARICO

District 38 (Bergen)

Assemblywoman ROSE MARIE HECK

District 38 (Bergen)

Co-Sponsored by:

**Assemblymen Merkt, Felice, Garcia, Geist, Senators Martin, Adler,
Bucco, Cafiero, Kyrillos, McNamara, Cardinale, Ciesla, Connors,
Bassano, Kosco, Sinagra, Zane, Bryant and Allen**

SYNOPSIS

Provides for the inclusion of students courtesy bused for hazardous route conditions in the calculation of regular vehicle capacity utilization for the purposes of State transportation aid.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 21, 1999, with amendments.

(Sponsorship Updated As Of: 11/16/1999)

1 AN ACT concerning pupil transportation, amending P.L.1996, c.138
2 and supplementing chapter 39 of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. Section 25 of P.L.1996, c.138 (C.18A:7F-25) is amended to
9 read as follows:

10 25. a. Each school district's and county vocational school
11 district's State aid for transportation shall consist of base aid (BA) and
12 an incentive factor (IF) determined as follows:

13 $BA = (BA1 \times IF) + BA2$

14 where

15 $BA1 = CP1 \times P1 + CD1 \times P1 \times D1$;

16 $BA2 = CP2 \times P2 + CD2 \times P2 \times D2$;

17 P1 is the total number of regular education public pupils and
18 regular nonpublic pupils eligible for transportation pursuant to
19 N.J.S.18A:39-1, excluding preschool pupils except in districts that
20 qualify for early childhood aid pursuant to section 16 of this act, and
21 of special education pupils eligible for transportation pursuant to
22 N.J.S.18A:46-23 with no special transportation requirements, who are
23 resident in the district as of the last school day prior to October 16 of
24 the prebudget year;

25 D1 is the average home-to-school mileage for P1 pupils;

26 P2 is the total number of special education pupils eligible for
27 transportation pursuant to N.J.S.18A:46-23 with special transportation
28 requirements who are resident in the district as of the last school day
29 prior to October 16 of the prebudget year;

30 D2 is the average home-to-school mileage for P2 pupils; and

31 CP1, CD1, CP2 and CD2 are cost coefficients with values set forth
32 in subsection b. of this section.

33 IF is the incentive factor, which modifies base aid paid for pupils
34 transported on regular vehicles according to each district's percentile
35 rank in regular vehicle capacity utilization. Students within the district
36 who receive courtesy busing services shall be included in the
37 calculation of the district's regular vehicle capacity utilization if the
38 courtesy busing services are provided to a student who would
39 otherwise be required to walk to and from school along a route
40 designated as a hazardous route¹, according to the definition
41 provided pursuant to section 3 of P.L. , c. (C.)(now pending

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:

¹ Assembly AAP committee amendments adopted June 21, 1999.

1 before the Legislature as this bill.) by the school district pursuant to
2 section 2 of P.L. , c. (C.)(now pending before the Legislature as
3 this bill)¹ . For the school year 1997-98, IF = 1. The Governor shall
4 submit to the Legislature at least 60 days prior to the 1998 budget
5 address proposed transportation incentive factors applicable to the
6 1998-99 school year and thereafter along with supporting data. The
7 incentive factors shall be deemed approved by the Legislature unless
8 a concurrent resolution is passed within 60 days of the date of
9 submission.

10 ¹ [The incentive factors shall equal one until the definition of a
11 hazardous route has been determined pursuant to section 3 of P.L. ,
12 c. (C.)(now pending before the Legislature as this bill), at which
13 time the procedure described above for approval of the incentive
14 factors shall apply.]¹

15 b. For 1997-98, the cost coefficients in subsection a. of this
16 section shall have the following values:

17 CP1 = \$ 280.24;

18 CD1 = \$ 28.75;

19 CP2 = \$1,192.69; and

20 CD2 = \$ 80.12.

21 For 1998-99, the coefficients shall be inflated by the CPI.

22 In subsequent years, the coefficients shall be revised by the
23 commissioner on a biennial basis and similarly adjusted by the CPI in
24 intervening years.

25 c. For the 1997-1998 school year, each district's base aid shall be
26 prorated such that the overall distribution of base aid does not exceed
27 that distributed Statewide in the 1996-1997 school year.

28 (cf: P.L.1996, c.138, s.25)

29

30 ¹ [2. (New section) A school district shall submit to the
31 Commissioner of Education on or before March 4, 2000, along with
32 the budget as required pursuant to subsection c. of section 5 of
33 P.L.1996, c.138 (C.18A:7F-5), a list of hazardous routes in the district
34 requiring the courtesy busing of students and the criteria used in
35 designating the hazardous routes. The school district shall work in
36 conjunction with the municipality and the county in determining the
37 criteria necessary for the designation as a hazardous route.]¹

38

39 ¹ [3. (New section) The Commissioner of Education, in
40 conjunction with the Commissioners of Transportation and Community
41 Affairs, shall review the information regarding hazardous routes
42 submitted to the Commissioner of Education pursuant to section 2 of
43 this act and develop a definition of a hazardous route. The definition
44 shall take into consideration whether the hazardous nature of the route
45 could be remedied by a sidewalk, traffic light or other improvement.]¹

46

47 ¹ [4. The State Board of Education shall promulgate rules

1 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
2 (C.52:14B-1 et seq.), to effectuate the provisions of this act.¹

3
4 ¹2. (New section) a. A school district that provides courtesy
5 busing services shall adopt a policy regarding the transportation of
6 students who must walk to and from school along hazardous routes.
7 The policy shall include a list of hazardous routes in the district
8 requiring the courtesy busing of students and the criteria used in
9 designating the hazardous routes. In adopting its policy, the school
10 district may consider, but shall not be limited to, the following criteria:

11 (1) Population density;

12 (2) Traffic volume;

13 (3) Average vehicle velocity;

14 (4) Existence or absence of sufficient sidewalk space;

15 (5) Roads and highways that are winding or have blind curves;

16 (6) Roads and highways with steep inclines and declines;

17 (7) Drop-offs that are in close proximity to a sidewalk;

18 (8) Bridges or overpasses that must be crossed to reach the
19 school;

20 (9) Train tracks or trestles that must be crossed to reach the
21 school; and

22 (10) Busy roads or highways that must be crossed to reach the
23 school.

24 b. A school district shall work in conjunction with municipal
25 officials in determining the criteria necessary for the designation of a
26 hazardous route.¹

27
28 ¹[5.] 3.¹ This act shall take effect immediately.

ASSEMBLY, No. 2463

STATE OF NEW JERSEY

208th LEGISLATURE

INTRODUCED SEPTEMBER 28, 1998

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Co-Sponsored by:

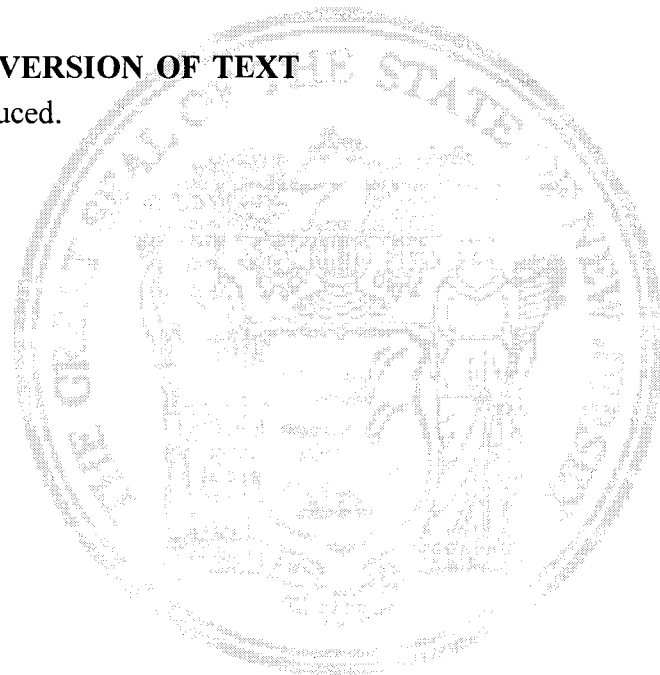
Assemblymen Felice and Garcia

SYNOPSIS

Provides for the inclusion of students courtesy bused for hazardous route conditions in the calculation of regular vehicle capacity utilization for the purposes of State transportation aid.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/12/1999)

A2463 GREENWALD, PREVITE

2

1 AN ACT concerning pupil transportation, amending P.L.1996, c.138
2 and supplementing chapter 39 of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. Section 25 of P.L.1996, c.138 (C.18A:7F-25) is amended to
9 read as follows:

10 25. a. Each school district's and county vocational school district's
11 State aid for transportation shall consist of base aid (BA) and an
12 incentive factor (IF) determined as follows:

13 $BA = (BA1 \times IF) + BA2$

14 where

15 $BA1 = CP1 \times P1 + CD1 \times P1 \times D1$;

16 $BA2 = CP2 \times P2 + CD2 \times P2 \times D2$;

17 P1 is the total number of regular education public pupils and regular
18 nonpublic pupils eligible for transportation pursuant to
19 N.J.S.18A:39-1, excluding preschool pupils except in districts that
20 qualify for early childhood aid pursuant to section 16 of this act, and
21 of special education pupils eligible for transportation pursuant to
22 N.J.S.18A:46-23 with no special transportation requirements, who are
23 resident in the district as of the last school day prior to October 16 of
24 the prebudget year;

25 D1 is the average home-to-school mileage for P1 pupils;

26 P2 is the total number of special education pupils eligible for
27 transportation pursuant to N.J.S.18A:46-23 with special transportation
28 requirements who are resident in the district as of the last school day
29 prior to October 16 of the prebudget year;

30 D2 is the average home-to-school mileage for P2 pupils; and

31 CP1, CD1, CP2 and CD2 are cost coefficients with values set forth
32 in subsection b. of this section.

33 IF is the incentive factor, which modifies base aid paid for pupils
34 transported on regular vehicles according to each district's percentile
35 rank in regular vehicle capacity utilization. Students within the district
36 who receive courtesy busing services shall be included in the
37 calculation of the district's regular vehicle capacity utilization if the
38 courtesy busing services are provided to a student who would
39 otherwise be required to walk to and from school along a route
40 designated as a hazardous route, according to the definition provided
41 pursuant to section 3 of P.L. , c. (C.)(now pending before the
42 Legislature as this bill.). For the school year 1997-98, IF = 1. The
43 Governor shall submit to the Legislature at least 60 days prior to the

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.

1 1998 budget address proposed transportation incentive factors
2 applicable to the 1998-99 school year and thereafter along with
3 supporting data. The incentive factors shall be deemed approved by
4 the Legislature unless a concurrent resolution is passed within 60 days
5 of the date of submission.

6 The incentive factors shall equal one until the definition of a
7 hazardous route has been determined pursuant to section 3 of P.L. ,
8 c. (C.)(now pending before the Legislature as this bill), at which
9 time the procedure described above for approval of the incentive
10 factors shall apply.

11 b. For 1997-98, the cost coefficients in subsection a. of this section
12 shall have the following values:

13 CP1 = \$ 280.24;
14 CD1 = \$ 28.75;
15 CP2 = \$1,192.69; and
16 CD2 = \$ 80.12.

17 For 1998-99, the coefficients shall be inflated by the CPI.

18 In subsequent years, the coefficients shall be revised by the
19 commissioner on a biennial basis and similarly adjusted by the CPI in
20 intervening years.

21 c. For the 1997-1998 school year, each district's base aid shall be
22 prorated such that the overall distribution of base aid does not exceed
23 that distributed Statewide in the 1996-1997 school year.

24 (P.L.1996, c.138, s.25)

25

26 2. (New section) A school district shall submit to the
27 Commissioner of Education on or before March 4, 1999, along with
28 the budget as required pursuant to subsection c. of section 5 of
29 P.L.1996, c.138 (C.18A:7F-5), a list of hazardous routes in the district
30 requiring the courtesy busing of students and the criteria used in
31 designating the hazardous routes. The school district shall work in
32 conjunction with the municipality and the county in determining the
33 criteria necessary for the designation as a hazardous route.

34

35 3. (New section) The Commissioner of Education, in conjunction
36 with the Commissioners of Transportation and Community Affairs,
37 shall review the information regarding hazardous routes submitted to
38 the Commissioner of Education pursuant to section 2 of this act and
39 develop a definition of a hazardous route. The definition shall take
40 into consideration whether the hazardous nature of the route could be
41 remedied by a sidewalk, traffic light or other improvement.

42

43 4. The State Board of Education shall promulgate rules pursuant
44 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
45 et seq.), to effectuate the provisions of this act.

1 5. This act shall take effect immediately.

2

3

STATEMENT

4

5 This bill provides that on or before March 4, 1999, a school district
6 shall submit to the Commissioner of Education a list of hazardous
7 routes in the district requiring the courtesy busing of students and the
8 criteria used in designating the hazardous routes. In determining
9 which criteria are necessary for designation as a hazardous route, the
10 school district shall work in conjunction with the municipality and the
11 county.

12 The bill further provides that the Commissioner of Education, in
13 conjunction with the Commissioners of Transportation and Community
14 Affairs, will review the information regarding hazardous routes
15 submitted to the Commissioner of Education and develop a definition
16 of a hazardous route, taking into consideration whether the hazardous
17 nature of the route could be remedied by a sidewalk, traffic light or
18 other improvement.

19 Pursuant to the provisions of the bill, the definition developed by
20 the commissioners will be utilized in determining the amount of State
21 transportation aid provided to the school district pursuant to the
22 formula in the "Comprehensive Educational Improvement and
23 Financing Act of 1996," (CEIFA) P.L.1996, c.138. This bill
24 specifically provides that students who receive courtesy busing
25 services due to hazardous route conditions will be included in the
26 calculation of the district's regular vehicle capacity utilization, which
27 is developed by the Department of Education as a measure of efficient
28 transportation practices. The bill requires that no changes be made to
29 the incentive factor until a definition of a hazardous route has been
30 determined by the commissioners.

31 In a report provided to the Legislature in December of 1997, the
32 Department of Education proposed that each district's vehicle capacity
33 utilization percentage be calculated by dividing the number of eligible
34 regular public, nonpublic, and special education students without
35 special transportation needs who receive transportation services by the
36 vehicle capacity. This recommendation means that any student within
37 the district who is receiving courtesy busing services due to hazardous
38 route conditions will not be included within the pupil count of the
39 vehicle for the purpose of measuring the vehicle's passenger occupancy
40 rate and, therefore, the efficiency of the district's transportation
41 system. This failure to count these students is unfair to certain school
42 districts which must transport a large number of "courtesy" student as
43 a result of hazardous route conditions. This bill addresses this inequity
44 by requiring that courtesy busing students who receive the service due
45 to hazardous route conditions are included within the calculation of
46 vehicle capacity utilization.

ASSEMBLY, No. 2496

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED OCTOBER 5, 1998

Sponsored by:
Assemblyman GUY F. TALARICO
District 38 (Bergen)

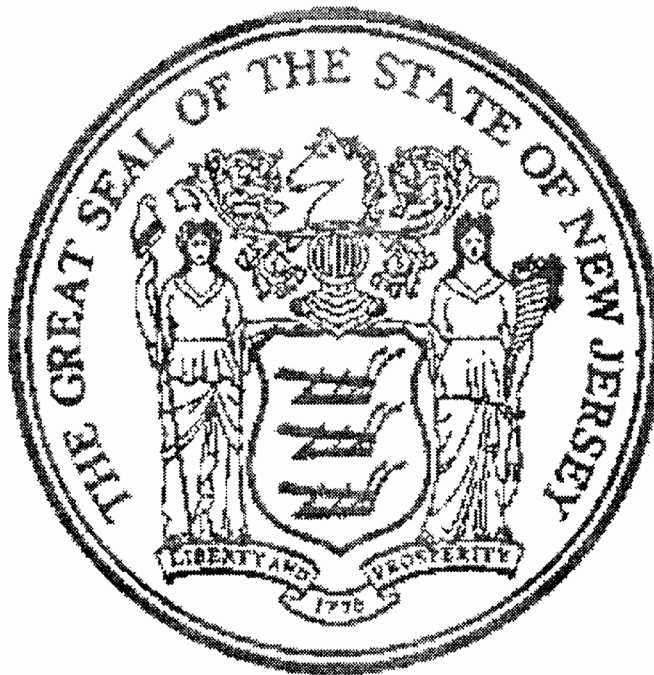
LAW LIBRARY COPY
DO NOT REMOVE

SYNOPSIS

Provides for the inclusion of hazardous courtesy busing students within the calculation of regular vehicle capacity utilization for the purposes of State transportation aid.

CURRENT VERSION OF TEXT

As introduced.



A2496 TALARICO

2

1 AN ACT concerning State aid for pupil transportation services and
2 amending P.L.1996, c.138.

3

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

6

7 1. Section 25 of P.L.1996, c.138 (C.18A:7F-25) is amended to
8 read as follows:

9 25. a. Each school district's and county vocational school district's
10 State aid for transportation shall consist of base aid (BA) and an
11 incentive factor (IF) determined as follows:

12 $BA = (BA1 \times IF) + BA2$

13 where

14 $BA1 = CP1 \times P1 + CD1 \times P1 \times D1$;

15 $BA2 = CP2 \times P2 + CD2 \times P2 \times D2$;

16 P1 is the total number of regular education public pupils and regular
17 nonpublic pupils eligible for transportation pursuant to
18 N.J.S.18A:39-1, excluding preschool pupils except in districts that
19 qualify for early childhood aid pursuant to section 16 of this act, and
20 of special education pupils eligible for transportation pursuant to
21 N.J.S.18A:46-23 with no special transportation requirements, who are
22 resident in the district as of the last school day prior to October 16 of
23 the prebudget year;

24 D1 is the average home-to-school mileage for P1 pupils;

25 P2 is the total number of special education pupils eligible for
26 transportation pursuant to N.J.S.18A:46-23 with special transportation
27 requirements who are resident in the district as of the last school day
28 prior to October 16 of the prebudget year;

29 D2 is the average home-to-school mileage for P2 pupils; and

30 CP1, CD1, CP2 and CD2 are cost coefficients with values set forth
31 in subsection b. of this section.

32 IF is the incentive factor, which modifies base aid paid for pupils
33 transported on regular vehicles according to each district's percentile
34 rank in regular vehicle capacity utilization. Students within the district
35 who receive hazardous courtesy busing services shall be included in
36 the calculation of the district's regular vehicle capacity utilization and
37 no penalty of any kind shall be assessed against the State aid of a
38 district providing those services. For the school year 1997-98, IF = 1.
39 The Governor shall submit to the Legislature at least 60 days prior to
40 the 1998 budget address proposed transportation incentive factors
41 applicable to the 1998-99 school year and thereafter along with
42 supporting data. **[The incentive factors shall be deemed approved by**

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.

1 the Legislature unless a concurrent resolution is passed within 60 days
2 of the date of submission.]

3 b. For 1997-98, the cost coefficients in subsection a. of this section
4 shall have the following values:

5 CP1 = \$ 280.24;

6 CD1 = \$ 28.75;

7 CP2 = \$1,192.69; and

8 CD2 = \$ 80.12.

9 For 1998-99, the coefficients shall be inflated by the CPI.

10 In subsequent years, the coefficients shall be revised by the
11 commissioner on a biennial basis and similarly adjusted by the CPI in
12 intervening years.

13 c. For the 1997-1998 school year, each district's base aid shall be
14 prorated such that the overall distribution of base aid does not exceed
15 that distributed Statewide in the 1996-1997 school year.

16 (cf:P.L.1996, c.138, s.25)

17

18 2. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 This bill amends the State aid formula for pupil transportation
24 services within the "Comprehensive Educational Improvement and
25 Financing Act of 1996," (CEIFA) P.L.1996, c.138, to require that any
26 incentive factor based on a school district's regular vehicle capacity
27 utilization which is developed by the Department of Education as a
28 measure of efficient transportation practices shall include students
29 within the district who receive hazardous courtesy busing services.
30 The bill also stipulates that no penalty of any kind shall be assessed
31 against the State aid of any district providing hazardous courtesy
32 busing services.

33 CEIFA established a base aid formula to calculate State aid for
34 pupil transportation services. That law also directed the Department
35 of Education to develop an incentive factor which, beginning in the
36 2001-2002 school year, will modify the base aid paid to each district
37 for pupils transported on regular vehicles according to each district's
38 percentile rank in regular vehicle capacity utilization. In a report
39 provided to the Legislature in December of 1997, the department
40 proposed that each district's vehicle capacity utilization percentage be
41 calculated by dividing the number of eligible regular public, nonpublic,
42 and special education students without special transportation needs
43 who receive transportation services by the vehicle capacity. This
44 recommendation means that any student within the district who is
45 receiving courtesy busing services will not be included within the pupil
46 count of the vehicle for the purpose of measuring the vehicle's

A2496 TALARICO

4

1 passenger occupancy rate and therefore the efficiency of the district's
2 transportation system. This failure to count these students is
3 inherently unfair to school districts, particularly those districts which
4 must transport a large number of "courtesy" students as a result of
5 hazardous road conditions or other safety factors. This bill addresses
6 this inequity by requiring the inclusion of hazardous courtesy busing
7 students within the calculation of vehicle capacity utilization.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2463 and 2496

STATE OF NEW JERSEY

DATED: MARCH 11, 1999

The Assembly Education Committee favorably reports a Assembly Committee Substitute for Assembly Bill Nos. 2463 and A2496.

This committee substitute amends the State aid formula for pupil transportation services within the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L.1996, c.138, to require that students within a district who receive courtesy busing services due to hazardous route conditions will be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficient transportation practices.

The substitute provides that on or before March 4, 2000, a school district shall submit to the Commissioner of Education a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. In determining which criteria are necessary for designation as a hazardous route, the school district shall work in conjunction with the municipality and the county.

The substitute further provides that the Commissioner of Education, in conjunction with the Commissioners of Transportation and Community Affairs, will review the information regarding hazardous routes submitted to the Commissioner of Education and develop a definition of a hazardous route, taking into consideration whether the hazardous nature of the route could be remedied by a sidewalk, traffic light or other improvement. The substitute provides that the transportation incentive factor under CEIFA will remain "one" and no changes may be made to the factor until a definition of hazardous route has been determined by the commissioners.

CEIFA established a base aid formula to calculate State aid for pupil transportation services. That law also directed the Department of Education to develop an incentive factor which, beginning in the 2001-2002 school year, will modify the base aid paid to each district for pupils transported on regular vehicles according to each district's percentile rank in regular vehicle capacity utilization. In a report provided to the Legislature in December of 1997, the department

proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students without special transportation needs who receive transportation services by the vehicle capacity. This recommendation means that any student within the district who is receiving courtesy busing services will not be included within the pupil count of the vehicle for the purpose of measuring the vehicle's passenger occupancy rate and therefore the efficiency of the district's transportation system. This failure to count these students is unfair to those districts which must transport a large number of "courtesy" students as a result of hazardous road conditions or other safety factors. The substitute addresses this inequity by requiring the inclusion of hazardous courtesy busing students within the calculation of vehicle capacity utilization.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 2463 and 2496

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 21, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2463 (ACS).

Assembly Bill Nos. 2463 and 2496 (ACS), as amended, amends the State aid formula for pupil transportation services within the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c.138, to require that students within a district who receive courtesy busing services due to hazardous route conditions will be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficient transportation practices.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. The bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

CEIFA established a base aid formula to calculate State aid for pupil transportation services. That law also directed the Department of Education to develop an incentive factor which, beginning in the 2001-2002 school year, will modify the base aid paid to each district for pupils transported on regular vehicles according to each district's percentile rank in regular vehicle capacity utilization. In a report provided to the Legislature in December of 1997, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students without special transportation needs who receive transportation services by the vehicle capacity. This recommendation means that any student within the district who is receiving courtesy busing services will not be included within the pupil

count of the vehicle for the purpose of measuring the vehicle's passenger occupancy rate and therefore the efficiency of the district's transportation system. This failure to count these students is unfair to those districts which must transport a large number of "courtesy" students as a result of hazardous road conditions or other safety factors. The bill addresses this inequity by requiring the inclusion of hazardous courtesy busing students within the calculation of vehicle capacity utilization.

The committee amended the bill to eliminate the provisions of the bill which required the Commissioners of Education, Transportation, and Community Affairs to develop a definition of hazardous route for purposes of courtesy busing services. Instead, the amendments provide that a school district which provides courtesy busing services must adopt a policy regarding the transportation of students who walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The amendments specify criteria which a school district may consider in the development of its policy but does not limit districts to those criteria. The amendments also specify that a school district must work in conjunction with municipal officials in determining the criteria necessary for designation as a hazardous route.

FISCAL IMPACT:

The Office of Legislative Services does not have any data on the number of students courtesy bused by school districts in the State due to hazardous conditions.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 2463 and 2496

STATE OF NEW JERSEY

DATED: SEPTEMBER 27, 1999

The Senate Education Committee reports favorably the First Reprint of the Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496.

This bill amends the State aid formula for pupil transportation services within the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L.1996, c.138, to require that students within a district who receive courtesy busing services due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficient transportation practices.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. In addition, the bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

CEIFA established a base aid formula to calculate State aid for pupil transportation services. That law also directed the Department of Education to develop an incentive factor which, beginning in the 2001-2002 school year, will modify the base aid paid to each district for pupils transported on regular vehicles according to each district's percentile rank in regular vehicle capacity utilization. In a report provided to the Legislature in December of 1997, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students without special transportation needs who receive transportation services by the vehicle capacity. This

proposal means that any student within the district who is receiving courtesy busing services will not be included within the pupil count of the vehicle for the purpose of measuring the vehicle's passenger occupancy rate and therefore the efficiency of the district's transportation system. The failure to count these students is unfair to those districts which must transport a large number of "courtesy" students as a result of hazardous road conditions or other safety factors, and the bill addresses this inequity by requiring the inclusion of hazardous courtesy busing students within the calculation of vehicle capacity utilization.

As reported, this bill is identical to the Senate Committee Substitute for Senate, Nos. 1517 and 1364.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 2463 and 2496

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1999

The Senate Budget and Appropriations Committee reports favorably the Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496 (1R).

The Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496 (1R) of 1999 amends the State aid formula for pupil transportation services under the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c.138. This substitute requires that students within a school district who receive "courtesy busing" services (busing of students not mandated by current statute) due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficiency of transportation services, which will impact on future levels of transportation aid. Neither the current law or this bill would provide State aid for the costs of courtesy busing.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. The bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

Under CEIFA, a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an "incentive factor," which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each school district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 2463 and 2496

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1999

The Senate Budget and Appropriations Committee reports favorably the Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496 (1R).

The Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496 (1R) of 1999 amends the State aid formula for pupil transportation services under the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c.138. This substitute requires that students within a school district who receive "courtesy busing" services (busing of students not mandated by current statute) due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficiency of transportation services, which will impact on future levels of transportation aid. Neither the current law or this bill would provide State aid for the costs of courtesy busing.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. The bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

Under CEIFA, a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an "incentive factor," which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each school district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle

capacity utilization. Thus, districts above a certain percentile rank in regular vehicle capacity utilization would receive the full transportation aid allotment. Districts below the cutoff percentile would have their transportation aid reduced.

In a report released in January 1999, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students by the vehicle's capacity. Students in grades 4-12 within the district receiving courtesy busing would not be included in the pupil count for the purpose of measuring the vehicle capacity utilization. If all students receiving courtesy busing were included in a district's pupil count for purposes of vehicle capacity utilization, a district with these pupils in its count would have a higher vehicle capacity utilization, and a higher percentile rank. Thus, the district would have a higher incentive factor and would receive either no reduction or a smaller reduction in more transportation aid than it would have if courtesy busing students had not been included in its pupil count.

As reported, this committee substitute is identical to the First Reprint of the Senate Committee Substitute for Senate, Nos. 1516 and 1364.

FISCAL IMPACT

While this bill might increase State aid payments beginning in State Fiscal Year 2002, it is not possible to estimate the potential increase or even determine that there will be an increase. The fiscal impact of this bill in school year 2001-2002 (the first year in which it may have an impact) will depend on the final form of the department's proposal for the transportation incentive factor and the number (and distribution) of students courtesy bused who are determined to face hazardous conditions

LEGISLATIVE FISCAL ESTIMATE

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 2463 and 2496**

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: MAY 11, 1999

Assembly Committee Substitute for Assembly Bill Nos. 2463 and 2496 of 1999 amends the State aid formula for pupil transportation services under the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c.138. This substitute requires that students within a school district who receive "courtesy busing" services (busing of students not mandated by current statute) due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficiency of transportation services, which will impact on future levels of transportation aid. The Office of Legislative Services (OLS) does not have sufficient data to estimate the impact of this legislation on State aid to school districts.

Background

Under CEIFA, a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an "incentive factor," which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each school district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle capacity utilization. Thus, districts below a certain percentile rank in regular vehicle capacity utilization would have their transportation aid reduced in the 2001-2002 school year through use of an incentive factor that is less than one.

In a report released in January 1999, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students by the vehicle's capacity. Students in grades 4-12 within the district receiving courtesy busing would not be included in the pupil count for the purpose of measuring the vehicle capacity utilization. If all students receiving courtesy busing were included in a district's pupil count for purposes of vehicle capacity utilization, a

district with these pupils in its count would have a higher vehicle capacity utilization, and a higher percentile rank. Thus, the district would have a higher incentive factor and would receive more transportation aid than it would have if courtesy busing students had not been included in its pupil count.

Fiscal Impact

In order to determine the fiscal impact of this bill in school year 2001-2002 (the first year it will have an impact), the OLS would need to know the number of students courtesy bused in this State due to hazardous conditions by district. The OLS does not have this data; in fact, the number of pupils along hazardous routes will not be available until the commissioner provides a definition of hazardous route pursuant to this legislation. In addition, the exact method of calculating the incentive factor has not yet been formally established by the department. Thus, no fiscal impact estimate can be made.

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.

LEGISLATIVE FISCAL ESTIMATE

SENATE, No. 1364

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: MAY 17, 1999

Senate Bill No. 1364 of 1998 amends the State aid formula for pupil transportation services under the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L.1996, c.138. This bill requires that students within a school district who receive "courtesy busing" services (busing of students not mandated by current statute) due to hazardous route conditions will be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficiency of transportation services, which will impact on future levels of transportation aid. The Office of Legislative Services (OLS) does not have sufficient data to estimate the impact of this legislation on State aid to school districts.

Background

Under CEIFA, a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an "incentive factor," which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each school district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle capacity utilization. Thus, districts below a certain percentile rank in regular vehicle capacity utilization would have their transportation aid reduced in the 2001-2002 school year through use of an incentive factor that is less than one.

In a report released in January 1999, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students by the vehicle's capacity. Students in grades 4-12 within the district receiving courtesy busing would not be included in the pupil count for the purpose of measuring the vehicle capacity utilization. If all students receiving courtesy busing were included in a district's pupil count for purposes of vehicle capacity utilization, a district with these pupils in its count would have a higher vehicle capacity utilization, and a higher percentile rank. Thus, the district would have a higher incentive factor and would receive more

transportation aid than it would have if courtesy busing students had not been included in its pupil count.

Fiscal Impact

This legislation requires that students within a school district receiving courtesy busing services due to hazardous route conditions will be included in the calculation of a district's regular vehicle capacity utilization. It also requires the commissioner to develop a definition of a hazardous route. In order to determine the fiscal impact of this bill in school year 2001-2002 (the first year it will have an impact), the OLS would need to know the number of students courtesy bused in this State due to hazardous conditions by district. The OLS does not have this data; in fact, the number of pupils along hazardous routes will not be available until the commissioner provides a definition of hazardous route pursuant to this legislation. In addition, the exact method of calculating the incentive factor has not yet been formally established by the department. Thus, no fiscal impact estimate can be made.

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.

SENATE, No. 1517

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED NOVEMBER 23, 1998

Sponsored by:

Senator ROBERT J. MARTIN

District 26 (Essex, Morris and Passaic)

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Provides that pupils courtesy bused for safety reasons be treated as regular education public pupils for purposes of State transportation aid.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/22/1999)

1 AN ACT concerning pupil transportation and supplementing chapter 39
2 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. A school district shall be required to transport elementary
8 school pupils who live less than two miles from school and secondary
9 school pupils who live less than two and a half miles from school, if a
10 school district determines that for safety reasons this transportation is
11 necessary.

12 b. For the purposes of calculating State transportation aid pursuant
13 to section 25 of P.L.1996, c.138 (C.18A:7F-25), pupils transported
14 pursuant to the provisions of subsection a. of this section shall be
15 treated the same as regular education public pupils and regular
16 nonpublic pupils eligible for transportation pursuant to N.J.S.18A:39-
17 1.

18 c. Pupils transported pursuant to the provisions of this section shall
19 be included in the calculation of the district's regular vehicle capacity
20 utilization pursuant to section 25 of P.L.1996, c.138 (C.18A:7F-25).

21 d. The State Board of Education shall promulgate regulations
22 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
23 (C.52:14B-1 et seq.) to effectuate the provisions of this act, including
24 the factors that must be examined by a school district in determining
25 the safety of pupils' walking routes such as the amount of vehicular
26 traffic and the availability of sidewalks.

27

28 2. This act shall take effect immediately and shall first apply to the
29 1999-2000.

30

31

32

STATEMENT

33 Pursuant to this bill, a school district will be required to transport
34 elementary school pupils who live less than two miles from school and
35 secondary school pupils who live less than two and a half miles from
36 school, if a school district determines that for safety reasons this
37 transportation is necessary.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1517 and 1364**

STATE OF NEW JERSEY

DATED: SEPTEMBER 27, 1999

The Senate Education Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 1517 and 1364.

This committee substitute amends the State aid formula for pupil transportation services within the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L.1996, c.138, to require that students within a district who receive courtesy busing services due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficient transportation practices.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. In addition, the bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

CEIFA established a base aid formula to calculate State aid for pupil transportation services. That law also directed the Department of Education to develop an incentive factor which, beginning in the 2001-2002 school year, will modify the base aid paid to each district for pupils transported on regular vehicles according to each district's percentile rank in regular vehicle capacity utilization. In a report provided to the Legislature in December of 1997, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students without special transportation needs who receive transportation services by the vehicle capacity. This proposal means that any student within the district who is receiving courtesy busing services will not be included within the pupil count of the vehicle for the purpose of measuring the vehicle's passenger occupancy rate and therefore the efficiency of the district's

transportation system. The failure to count these students is unfair to those districts which must transport a large number of "courtesy" students as a result of hazardous road conditions or other safety factors, and the bill addresses this inequity by requiring the inclusion of hazardous courtesy busing students within the calculation of vehicle capacity utilization.

As reported, this committee substitute is identical to the First Reprint of the Assembly Committee Substitute for Assembly, Nos. 2463 and 2496.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, Nos. 1517 and 1364

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1999

The Senate Budget and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill Nos. 1517 and 1364.

The Senate Committee Substitute for Senate Bill Nos. 1517 and 1364 of 1999 amends the State aid formula for pupil transportation services under the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c.138. This substitute requires that students within a school district who receive "courtesy busing" services (busing of students not mandated by current statute) due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficiency of transportation services, which will impact on future levels of transportation aid. Neither the current law or this bill would provide State aid for the costs of courtesy busing.

The bill requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The bill outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. The bill directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

Under CEIFA, a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an "incentive factor," which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each school district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle capacity utilization. Thus, districts above a certain percentile rank in regular vehicle capacity utilization would receive the full transportation aid allotment. Districts below the cutoff percentile would have their transportation aid reduced.

In a report released in January 1999, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students by the vehicle's capacity. Students in grades 4-12 within the district receiving courtesy busing would not be included in the pupil count for the purpose of measuring the vehicle capacity utilization. If all students receiving courtesy busing were included in a district's pupil count for purposes of vehicle capacity utilization, a district with these pupils in its count would have a higher vehicle capacity utilization, and a higher percentile rank. Thus, the district would have a higher incentive factor and would receive either no reduction or a smaller reduction in more transportation aid than it would have if courtesy busing students had not been included in its pupil count.

As reported, this committee substitute is identical to the First Reprint of the Assembly Committee Substitute for Assembly, Nos. 2463 and 2496.

FISCAL IMPACT

While this bill might increase State aid payments beginning in State Fiscal Year 2002, it is not possible to estimate the potential increase or even determine that there will be an increase. The fiscal impact of this bill in school year 2001-2002 (the first year in which it may have an impact) will depend on the final form of the department's proposal for the transportation incentive factor and the number (and distribution) of students courtesy bused who are determined to face hazardous conditions

LEGISLATIVE FISCAL ESTIMATE

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1517 and 1364**

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: DECEMBER 2, 1999

Senate Committee Substitute for Senate Bill Nos. 1517 and 1364 of 1999 amends the State aid formula for pupil transportation services within the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA) P.L. 1996, c. 138. The substitute requires that students within a district who receive courtesy busing services (busing of students not mandated by current statute) due to hazardous route conditions be included in the calculation of the district's regular vehicle capacity utilization. Regular vehicle capacity utilization is being developed by the Department of Education as a measure of efficient transportation practices, which will impact on future levels of transportation aid.

The substitute requires a school district which provides courtesy busing services to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes. The policy is to include a list of hazardous routes in the district requiring the courtesy busing of students and the criteria used in designating the hazardous routes. The substitute outlines criteria which may be considered by districts, such as population density, traffic volume, and absence of sidewalks, but specifies that districts are not limited to those criteria. In addition, the substitute directs school districts to work in conjunction with municipal officials in the designation of a hazardous route.

The Office of Legislative Services (OLS) does not have sufficient data to estimate the impact of this legislation on State aid to school districts.

Background

Under CEIFA a base aid formula was established to provide aid for pupil transportation services. That law also directed the Department of Education to develop an incentive factor which, beginning in the 2001-2002 school year, will be utilized to modify the base aid paid to each district for pupils transported in regular vehicles, based on each district's percentile rank in regular vehicle capacity utilization. Thus, districts below a certain percentile rank in regular vehicle capacity

utilization would have their transportation aid reduced in the 2001-2002 school year through use of an incentive factor that is less than one.

In a report released in January 1999, the department proposed that each district's vehicle capacity utilization percentage be calculated by dividing the number of eligible regular public, nonpublic, and special education students without special transportation needs who receive transportation services by the vehicle capacity. Students in grades 4-12 within the district receiving courtesy busing would not be included in the pupil count for the purpose of measuring the vehicle capacity utilization. If all students receiving courtesy busing were included in a district's pupil count for purposes of vehicle capacity utilization, a district would have a higher vehicle capacity utilization and a higher percentile rank and therefore would receive more transportation aid than it would have if courtesy busing students had not been included in its pupil count.

Fiscal Impact

In order to determine the fiscal impact of this bill in school year 2001-2002 (the first year it would have an impact), the OLS would need to know the number of students courtesy bused in this State by district due to hazardous conditions. The OLS does not have this data; in fact the number of pupils bused along hazardous routes will not be available until each district establishes its criteria for the designation of hazardous routes within the district which require the courtesy busing of students under the legislation. In addition, the exact method of calculating the incentive factor has not yet been formally established by the department. Therefore, no fiscal impact estimate can be made.

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.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 1517 and 1364

STATE OF NEW JERSEY
208th LEGISLATURE

ADOPTED SEPTEMBER 27, 1999

Sponsored by:

Senator ROBERT J. MARTIN

District 26 (Essex, Morris and Passaic)

Senator JOHN H. ADLER

District 6 (Camden)

Senator ANTHONY R. BUCCO

District 25 (Morris)

Co-Sponsored by:

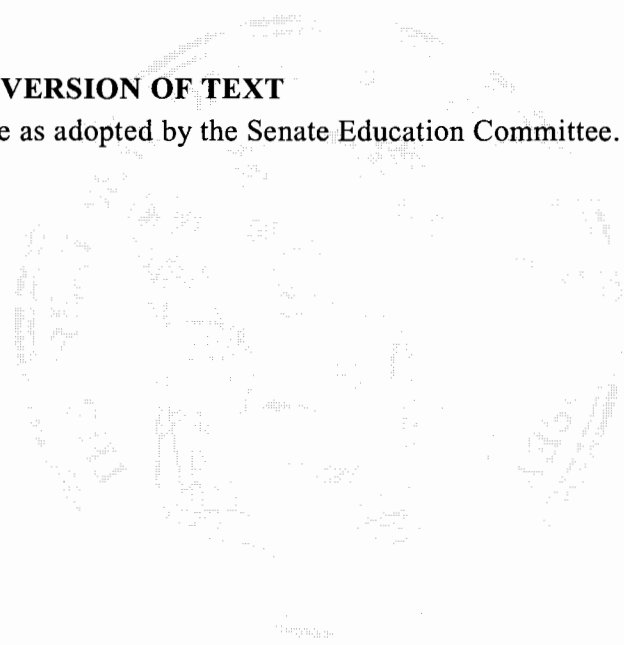
**Senators Cafiero, Kyrillos, McNamara, Cardinale, Ciesla, Connors,
Bassano, Kosco, Sinagra, Zane, Bryant and Allen**

SYNOPSIS

Provides for the inclusion of students courtesy bused for hazardous route conditions in the calculation of regular vehicle capacity utilization for the purposes of State transportation aid.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Education Committee.



(Sponsorship Updated As Of: 11/16/1999)

1 **AN ACT** concerning pupil transportation, amending P.L.1996, c.138
 2 and supplementing chapter 39 of Title 18A of the New Jersey
 3 Statutes.

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

7
 8 1. Section 25 of P.L.1996, c.138 (C.18A:7F-25) is amended to
 9 read as follows:

10 25. a. Each school district's and county vocational school
 11 district's State aid for transportation shall consist of base aid (BA) and
 12 an incentive factor (IF) determined as follows:

13 $BA = (BA1 \times IF) + BA2$

14 where

15 $BA1 = CP1 \times P1 + CD1 \times P1 \times D1$;

16 $BA2 = CP2 \times P2 + CD2 \times P2 \times D2$;

17 P1 is the total number of regular education public pupils and
 18 regular nonpublic pupils eligible for transportation pursuant to
 19 N.J.S.18A:39-1, excluding preschool pupils except in districts that
 20 qualify for early childhood aid pursuant to section 16 of this act, and
 21 of special education pupils eligible for transportation pursuant to
 22 N.J.S.18A:46-23 with no special transportation requirements, who are
 23 resident in the district as of the last school day prior to October 16 of
 24 the prebudget year;

25 D1 is the average home-to-school mileage for P1 pupils;

26 P2 is the total number of special education pupils eligible for
 27 transportation pursuant to N.J.S.18A:46-23 with special transportation
 28 requirements who are resident in the district as of the last school day
 29 prior to October 16 of the prebudget year;

30 D2 is the average home-to-school mileage for P2 pupils; and

31 CP1, CD1, CP2 and CD2 are cost coefficients with values set forth
 32 in subsection b. of this section.

33 IF is the incentive factor, which modifies base aid paid for pupils
 34 transported on regular vehicles according to each district's percentile
 35 rank in regular vehicle capacity utilization. Students within the district
 36 who receive courtesy busing services shall be included in the
 37 calculation of the district's regular vehicle capacity utilization if the
 38 courtesy busing services are provided to a student who would
 39 otherwise be required to walk to and from school along a route
 40 designated as a hazardous route by the school district pursuant to
 41 section 2 of P.L. , c. (C.)(now pending before the Legislature as
 42 this bill). For the school year 1997-98, IF = 1. The Governor shall
 43 submit to the Legislature at least 60 days prior to the 1998 budget

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.

1 address proposed transportation incentive factors applicable to the
2 1998-99 school year and thereafter along with supporting data. The
3 incentive factors shall be deemed approved by the Legislature unless
4 a concurrent resolution is passed within 60 days of the date of
5 submission.

6 b. For 1997-98, the cost coefficients in subsection a. of this
7 section shall have the following values:

8 CP1 = \$ 280.24;
9 CD1 = \$ 28.75;
10 CP2 = \$1,192.69; and
11 CD2 = \$ 80.12.

12 For 1998-99, the coefficients shall be inflated by the CPI.

13 In subsequent years, the coefficients shall be revised by the
14 commissioner on a biennial basis and similarly adjusted by the CPI in
15 intervening years.

16 c. For the 1997-1998 school year, each district's base aid shall be
17 prorated such that the overall distribution of base aid does not exceed
18 that distributed Statewide in the 1996-1997 school year.

19 (cf: P.L.1996, c.138, s.25)

20

21 2. (New section) a. A school district that provides courtesy
22 busing services shall adopt a policy regarding the transportation of
23 students who must walk to and from school along hazardous routes.
24 The policy shall include a list of hazardous routes in the district
25 requiring the courtesy busing of students and the criteria used in
26 designating the hazardous routes. In adopting its policy, the school
27 district may consider, but shall not be limited to, the following criteria:

- 28 (1) Population density;
- 29 (2) Traffic volume;
- 30 (3) Average vehicle velocity;
- 31 (4) Existence or absence of sufficient sidewalk space;
- 32 (5) Roads and highways that are winding or have blind curves;
- 33 (6) Roads and highways with steep inclines and declines;
- 34 (7) Drop-offs that are in close proximity to a sidewalk;
- 35 (8) Bridges or overpasses that must be crossed to reach the
36 school;
- 37 (9) Train tracks or trestles that must be crossed to reach the
38 school; and
- 39 (10) Busy roads or highways that must be crossed to reach the
40 school.

41 b. A school district shall work in conjunction with municipal
42 officials in determining the criteria necessary for the designation of a
43 hazardous route.

44

45 3. This act shall take effect immediately.

>

Transfer interrupted!

TITLE>

Office of the Governor

PO BOX 004
TRENTON, NJ 08625

NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: January 4, 2000

Governor Signs Bill Protecting Dogs and Cats, Among Other Legislation

New Jersey is a dog's best friend - and a cat's too - thanks to the bill Governor Christie Whitman today signed prohibiting the sale of dog or cat fur and products made from it, and the sale of domestic dog or cat flesh for human consumption and its resulting products.

"Coming from a family of animal lovers, I can't imagine that we would even have needed a bill to protect our dogs and cats from such cruelty. When I became aware of the fact that there were dog and cat fur products on the market, it was something I wanted to stop here in New Jersey," said Gov. Whitman. "As I often say, I want to continue making our state the best place to live for our many faces - but one family - of New Jersey. My mission also applies to our beloved `four-legged' friends."

According to Gov. Whitman, the bill was introduced following a television report on "Dateline" that covered a recent investigation by the Humane Society of the United States. The report showed that approximately two million dogs and cats are killed annually as part of an international trade of dog and cat fur products. It also found that there is an extensive international trade of dog and cat fur products and that the method of killing is exceedingly cruel.

Dogs and cats are defined as those animals that are generally recognized in the U.S. as household pets, excluding "wild" dogs and cats such as coyotes, foxes, lynxes or bobcats.

The bill, S-1815, was sponsored by Senators Edward T. O'Connor (D-Hudson) and William L. Gormley (R-Atlantic).

In addition, Gov. Whitman today signed the following legislation:

ACS for A-2463 and A-2496, sponsored by Assembly Members Louis D. Greenwald (D-Camden), Mary T. Previte (D-Camden), Guy F. Talarico (R-Bergen) and Rose Marie Heck (R-Bergen) and Senators Robert J. Martin (R-Essex/Morris/Passaic), John H. Adler (D-Camden) and Anthony R. Bucco (R-Morris), provides for the inclusion of students, who are "courtesy" bused because of hazardous route conditions, in the calculation of regular vehicle utilization for the purpose of state transportation aid.

S-342, sponsored by Senators Diane B. Allen (R-Burlington/Camden) and Louis F. Kosco (R-Bergen) and Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Loretta Weinberg (D-Bergen), establishes an Intergenerational Child Care Incentive Pilot Program. Its goal is to expand the availability of necessary child care services by encouraging the establishment of innovative employer-community partnerships; using volunteer networks, such as retirees; and promoting intergenerational child care programs in retirement communities around the state. Specifically, this bill directs the Commissioner of the Department of Human Services to create a three-year Intergenerational Child Care Incentive Pilot Program in the Division of Family Development.

A-670, sponsored by Assembly Members John C. Gibson (R-Cape May/Atlantic/Cumberland) and Marion Crecco (R-Essex/Passaic), permits the application of certain tinting materials on motor vehicle windows and windshields for medical reasons. This bill was introduced at a constituent's request who suffers from a medical condition involving sensitivity to sun. Under previous law, all New Jersey drivers were prohibited from tinting their windows.

S-501, sponsored by Senator Andrew R. Ciesla (R-Monmouth/Ocean) and Assemblyman Louis D. Greenwald (D-Camden), permits certain motor vehicles to display rear license plate only. Two classes are exempt from displaying dual license plates under this bill including vehicles registered as historic and vehicles manufactured before 1945.

S-539, sponsored by Senators William L. Gormley (R-Atlantic) and James S. Cafiero (R-Cape May/Atlantic/Cumberland) and Assemblymen Kenneth LeFevre (R-Atlantic) and Francis J. Blee (R-Atlantic), increases the criminal penalties associated with using a body vest, sometimes referred to as a "bullet proof vest", in certain circumstances.

This bill changes the offense to a second degree crime when the vest was worn during the commission of a first degree crime. In all other circumstances, the offense will continue to be graded as a