

CHAPTER 471

AN ACT concerning school bus safety, supplementing chapter 39 of Title 18A of the New Jersey Statutes, and making an appropriation.

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

C.18A:39-34 Office of School Bus Safety established.

1. a. There is established in the Department of Education the Office of School Bus Safety. The purpose of the office is to oversee the school busing industry and to coordinate enforcement and accountability among the department, school bus drivers, and school bus contractors.

b. The Commissioner of Education shall establish the office, which shall consist of individuals qualified by training and experience related to the school bus industry in order to perform the duties of the office. The staff shall be supervised by a person of recognized judgment, integrity, and objectivity, and shall be skilled in communication, conflict resolution, and professionalism.

c. The office shall be responsible for the work of such professional and clerical staff as may be necessary to carry out the office's responsibilities.

C.18A:39-35 Office duties.

2. a. The duties of the Office of School Bus Safety shall include, but need not be limited to, the following:

(1) reviewing a school bus driver's information collected by the Commissioner of Education pursuant to section 6 of P.L.1989, c.104 (C.18A:39-19.1);

(2) obtaining statements of assurance from school districts or contractors that all training certifications for school bus drivers from employers pursuant to subsection b. of section 2 of P.L.2015, c.123 (C.18A:39-19.3) are complete;

(3) assisting in the development of a student information card pursuant to section 3 of P.L.2015, c.123 (18A:39-19.4);

(4) reviewing statements provided by a board of education or contractor that verify a school bus driver, whose bus driver's license is suspended or revoked, no longer operates a school bus for the board or contractor pursuant to section 1 of P.L.2018, c.152 (C.18A:39-19.6);

(5) coordinating with the Motor Vehicle Commission and the Department of Law and Public Safety on the sharing of information regarding matters related to school bus safety. The Motor Vehicle Commission and the Department of Law and Public Safety shall, pursuant to a valid Memorandum of Understanding and to the extent permitted by law, share information with the office to assist in effectuating the provisions of this act;

(6) maintain a list of all persons barred from bidding on any pupil transportation contract pursuant to section 3 of P.L.2021, c.307 (C.18A:39-11.5);

(7) render a decision as to whether a person shall be debarred from bidding on a pupil transportation contract pursuant to the provisions of P.L.2021, c.307 (C.18A:39-11.5);

(8) collecting and reviewing the name, address, and contact information of school bus contractors and the owners of school bus contracting companies;

(9) determining if a board of education or contractor has failed to comply with the provisions of N.J.S.18A:39-20;

(10) reviewing and recommending changes to the commissioner of the rules and regulations governing school bus safety; and

(11) any other duties the commissioner deems appropriate to ensure the safety of school buses for students in the State.

b. The office shall treat communications received in the course of the office's duties, including personally identifiable information regarding students, parents or guardians, school bus drivers, and others from whom information is acquired, as confidential, except when disclosure is necessary to enable the office to perform the duties of the office and consent for disclosure is obtained. Upon receipt of information that by law is confidential or privileged, the Department of Education shall maintain the confidentiality of such information and shall not disclose or disseminate the information except as provided by applicable State or federal law.

c. As used in this section, "person" means an individual and any business, including any corporation, partnership, association, or proprietorship in which such individual is a principal, or with respect to which the individual owns, directly or indirectly, or controls any of the stock or other equity interest of such business.

C.18A:39-36 Report to Governor, Legislature.

3. The Department of Education shall submit an initial report to the Governor and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), which includes a summary of the services provided, and enforcement actions taken. A report shall be issued annually thereafter to the Commissioner of Education by the Office of School Bus Safety containing any specific recommendations the office deems appropriate and necessary concerning the oversight and management within the department's purview.

4. There is appropriated from the General Fund to the Department of Education \$200,000 to effectuate the provisions of this act.

5. This act shall take effect immediately.

Approved January 18, 2022.