

SENATE, No. 155

STATE OF NEW JERSEY 222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senator Greenstein

SYNOPSIS

Permits school bus driver to administer epinephrine to student in emergency under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee with technical review.



1 AN ACT concerning the administration of epinephrine by school bus
2 drivers and supplementing P.L.1997, c.368 (C.18A:40-12.5 et
3 seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. As used in this section, “school bus driver” includes
9 school bus drivers who are employed by a board of education and
10 school bus drivers who are employed by a school bus contractor
11 that provides pupil transportation services under contract with a
12 board of education.

13 b. The policy of a board of education or a nonpublic school for
14 the emergency administration of epinephrine to a student for
15 anaphylaxis may permit a school bus driver, who volunteers to
16 serve as a delegate for the emergency administration of epinephrine,
17 pursuant to subsection a. of section 2 of P.L.1997, c.368 (C.18A:40-
18 12.6), to administer epinephrine to a student when the following
19 conditions are met:

20 (1) the student’s parent or guardian has provided written
21 authorization for a school bus driver to administer epinephrine to
22 the student in an emergency;

23 (2) the student’s parent or guardian has provided to the board of
24 education or chief school administrator of a nonpublic school
25 written orders from a physician or advanced practice nurse that the
26 student requires the administration of epinephrine for anaphylaxis;

27 (3) the board or chief school administrator of a nonpublic school
28 informs the student’s parents or guardians in writing that the district
29 and its employees or agents or the nonpublic school and its
30 employees or agents, the school bus driver, and school bus
31 contractor shall have no liability as a result of any injury arising
32 from the administration of the epinephrine via a pre-filled auto-
33 injector mechanism;

34 (4) the student’s parents or guardians sign a statement
35 acknowledging their understanding that the district or the nonpublic
36 school, the school bus driver, and school bus contractor shall have
37 no liability as a result of any injury arising from the administration
38 of the epinephrine via a pre-filled auto-injector mechanism to the
39 student and that the parents or guardians shall indemnify and hold
40 harmless the district and its employees or agents or the nonpublic
41 school and its employees or agents, the school bus driver, and
42 school bus contractor against any claims arising out of the
43 administration of the epinephrine via a pre-filled auto-injector
44 mechanism; and

45 (5) the school bus driver has volunteered to serve as a delegate
46 for the emergency administration of epinephrine and has been
47 properly trained in the administration of epinephrine via a pre-filled
48 auto-injector mechanism using standardized training protocols

1 established pursuant to subsection a. of section 2 of P.L.1997, c.368
2 (C.18A:40-12.6). The training shall be conducted by the school
3 nurse, school physician, or a designee that is employed by the board
4 of education, the nonpublic school, or the school bus contractor, or
5 an entity or individual approved by the Department of Health. If
6 the school bus driver is employed by a contractor, the contractor
7 shall provide, on an annual basis, a statement of assurance to each
8 board of education or nonpublic school that the school bus driver
9 provides transportation services to, attesting that the school bus
10 driver volunteers to serve as a delegate and has been properly
11 trained in the emergency administration of epinephrine pursuant to
12 this section.

13 The written permission of the student's parent or guardian shall
14 be effective for the school year for which it is granted and may be
15 renewed for each subsequent school year upon fulfillment of the
16 requirements in this subsection. The parent or guardian shall be
17 responsible for providing a current, unexpired, pre-filled auto-
18 injector of epinephrine to the school district or nonpublic school for
19 use on the school bus during the school year in order for the district
20 to fulfill the provisions of this act.

21 c. Nothing in this section shall be construed to prohibit the
22 emergency administration of epinephrine to a student for
23 anaphylaxis by a school bus driver when the student is authorized to
24 self-administer epinephrine pursuant to section 1 of P.L.1993, c.308
25 (C.18A:40-12.3).

26 d. No school bus driver, school district, nonpublic school, or
27 school bus contractor that provides pupil transportation services
28 under contract with a board of education shall be held liable for any
29 good faith act or omission consistent with the provisions of this
30 section. Good faith shall not include willful misconduct, gross
31 negligence, or recklessness.

32
33 2. The State Board of Education shall promulgate regulations
34 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
35 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this
36 act.

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38 3. This act shall take effect immediately and shall first apply to
39 the first full school year following the date of enactment.