

[First Reprint]

SENATE, No. 2596

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED DECEMBER 8, 2014

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Exempts certain vehicles owned or leased by certain health care facilities and other facilities licensed by Department of Human Services or Department of Health from "Angelie's Law."

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on January 13, 2015, with amendments.



(Sponsorship Updated As Of: 1/14/2015)

1 AN ACT exempting certain vehicles from “Angelie’s Law” and
2 amending P.L.2013, c.224.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 4 of P.L.2013, c.224 (C.56:16-2) is amended to read
8 as follows:

9 4. For the purposes of sections 3 through 9 of P.L.2013, c.224
10 (C.56:16-1 et seq.):

11 "Autobus" means a privately-owned autobus operated over the
12 public highways in this State for the transportation of not more than
13 40 passengers for hire in intrastate or interstate business except that
14 "autobus" shall not include:

15 (1) a vehicle engaged in motorbus regular route service as
16 defined in section 3 of P.L.1979, c. 150 (C.27:25-3);

17 (2) a vehicle engaged in the transportation of passengers for hire
18 in the manner and form commonly called taxicab service unless that
19 service becomes or is held out to be regular service between stated
20 termini;

21 (3) a hotel bus used exclusively for the transportation of hotel
22 patrons to or from local railroad or other common carrier stations
23 including local airports;

24 (4) a bus operated for the transportation of enrolled children and
25 adults only when serving as chaperones to or from a school, school
26 connected activity, day camp, summer day camp, nursery school,
27 child care center, pre-school center, or other similar places of
28 education, including "School Vehicle Type I" and "School Vehicle
29 Type II" as defined in R.S.39:1-1;

30 (5) an autobus with a carrying capacity of not more than 13
31 passengers operated under municipal consent upon a route
32 established wholly within the limits of a single municipality or with
33 a carrying capacity of not more than 20 passengers operated under
34 municipal consent upon a route established wholly within the limits
35 of not more than four contiguous municipalities within any county
36 of the fifth or sixth class, which route in either case does not, in
37 whole or in part, parallel upon the same street the line of any street
38 railway or traction railway or any other autobus route;

39 (6) an autocab, limousine, or livery service as defined in
40 R.S.48:16-13, unless that service becomes or is held out to be
41 regular service between stated termini;

42 (7) a vehicle used in a "ridesharing" arrangement, as defined by
43 the "New Jersey Ridesharing Act of 1981," P.L.1981, c.413
44 (C.27:26-1 et al.);

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:

¹Senate STR committee amendments adopted January 13, 2015.

1 (8) a motor bus owned by, or operated under a contract with, the
2 New Jersey Transit Corporation;

3 (9) charter bus operations, as defined in R.S.48:4-1;

4 (10) a vehicle designed to transport ¹**[8]** eight¹ or more, but
5 ¹**[less]** fewer¹ than 16, persons, including the driver, which is used
6 exclusively for the transportation of persons between an off-airport
7 parking facility and an airport; **[or]**

8 (11) a special paratransit vehicle, as defined in R.S.48:4-1 ; or

9 (12) a vehicle that is owned or leased by a “boarding or nursing
10 home,” as defined by section 2 of P.L.1977, c.238 (C.26:2H-37), by
11 an “assisted living facility,” as defined by section 1 of P.L.2009,
12 ¹**[c.234]** c.61 (C.26:2H-12.56)¹, by an adult day health care facility
13 or pediatric day health care facility licensed pursuant to P.L.1971,
14 c.136 (C.26:2H-1 et al.), or by ¹**[a]** any¹ facility or other entity
15 ¹licensed or¹ approved by the Department of Human Services ¹**[to**
16 provide services for persons with developmental disabilities, as
17 defined by section 3 of P.L.1985, c.145 (C.30:6D-25)] or the
18 Department of Health to render services to New Jersey residents¹ ,
19 and which is used to transport eight or more, but ¹**[not less]** fewer¹
20 than 16 persons, including the driver, to and from recreational and
21 social activities, shopping, and other health care providers; provided
22 that no charge is assessed each time a patient, resident, or client
23 utilizes the transportation service.

24 "Bill of Rights for Customers of Certain Autobuses" means the
25 consumer protections, obligations of the owners and operators of
26 autobuses, and basic expectations and guarantees of health, safety,
27 and welfare established pursuant to section 6 of P.L.2013, c.224
28 (C.56:16-4).

29 “For hire” means for direct or indirect hire, any service for which
30 the driver of the vehicle is compensated, or which is included in the
31 duties of the person who renders services for compensation, but
32 shall not include transportation services that are provided to patients
33 or residents of a “boarding or nursing home,” as defined by section
34 2 of P.L.1977, c.238 (C.26:2H-37), an “assisted living facility,” as
35 defined by section 1 of P.L.2009, ¹**[c.234]** c.61 (C.26:2H-12.56)¹, ,
36 an adult day health care facility or pediatric day health care facility
37 licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et al.), or to
38 patients ¹**[or]** , ¹ residents ¹, or clients¹ of ¹**[a]** any¹ facility or other
39 entity that is ¹licensed or¹ approved by the Department of Human
40 Services ¹**[to provide services for persons with developmental**
41 disabilities, as defined by section 3 of P.L.1985, c.145 (C.30:6D-
42 25)] or the Department of Health to render services to New Jersey
43 residents¹, unless a charge is assessed each time a patient, resident,
44 or client utilizes the transportation services.

45 "Operator" means a person who is in actual physical control of
46 an autobus.

1 "Owner" means a person who holds the legal title of an autobus,
2 or if an autobus is the subject of an agreement for the conditional
3 sale or lease thereof with the right of purchase upon performance of
4 the conditions stated in the agreement and with an immediate right
5 of possession vested in the conditional vendee or lessee, or if a
6 mortgagor of an autobus is entitled to possession, then the
7 conditional vendee, lessee or mortgagor shall be considered the
8 owner.

9 (cf: P.L.2013, c.224, s.4)

10

11 2. This act shall take effect immediately.