ASSEMBLY, No. 1729



STATE OF NEW JERSEY

219th LEGISLATURE



PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Requires certain providers of transportation services to develop and publish route schedules.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



An Act requiring certain providers of transportation services to develop and publish route schedules, amending R.S.48:8-2, supplementing Title 27 of the Revised Statutes and Title 32 of the Revised Statutes, and amending and supplementing P.L.2013, c.224.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. R.S.48:8-2 is amended to read as follows:

48:8-2. a. The owner or **[**keeper**]** operator of every ferry shall erect and maintain, where the ferry is kept, a post with a table of the rates and route schedule fixed by the board, printed, written or painted in large capitals, annexed thereto. The post and table shall be set up so that the table shall be visible to passengers entering the boat used for the ferry.

In addition to posting at the passenger entrance of the ferry, the owner or operator shall publish the table of rates and the route schedule on the website of the owner or operator.

b. In the event that the table of rates or route schedule, developed pursuant to subsection a. of this section, is changed by the owner or operator, the owner or operator shall update all postings required pursuant to subsection a. of this section to reflect the changes in the table of rates or route schedule within 30 days of the changes taking effect.

c. For every day that the owner or **[**keeper**]** operator of any ferry shall fail or refuse to maintain **[**a post and table of rates in the manner aforesaid, he**]** the postings required pursuant to subsection a. of this section, the owner or operator shall be liable to pay a penalty of one dollar.

(cf: R.S.48:8-2)

2. (New section) a. In addition to the powers and duties set forth under section 5 of P.L.1979, c.150 (C.27:25-5 et seq.), the New Jersey Transit Corporation shall develop a route schedule for each motorbus regular route service route, rail passenger service route, and ferry passenger service route operated by the corporation.

b. The corporation shall publish the route schedule, developed pursuant to subsection a. of this section, on the corporation’s website and at each transportation facility, station, stop, or stand providing service to the motorbus regular route service route, rail passenger service route, or ferry passenger service route.

c. In the event that the route schedule, developed pursuant to subsection a. of this section, is changed by the corporation, the corporation shall update its website to reflect the changes and post the new route schedule at each transportation facility, station, stop, or stand providing service to the motorbus regular route passenger service route, rail passenger service route, or ferry passenger service route, within 30 days of the changes to the route schedule taking effect.

3. (New section) The Governor is authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the State of New York amending the compact of April 30, 1921, between the states of New York and New Jersey, as amended and supplemented, creating the Port Authority of New York and New Jersey as set forth in section 4 of P.L. , c.    (C. ) (pending before the legislature as this bill).

4. (New section) a. The Port Authority of New York and New Jersey shall develop a route schedule for each commuter railroad route operated by the port authority or by any subsidiary company owned by the port authority.

b. The port authority shall publish the route schedule, developed pursuant to subsection a. of this section, on the port authority’s website and at each transportation facility, station, stop, or stand providing service to the commuter railroad route operated by the port authority or by any subsidiary company of the port authority.

c. In the event that the route schedule, developed pursuant to subsection a. of this section, is changed by the port authority, the port authority shall update its website to reflect the changes and post the new route schedule at each transportation facility, station, stop, or stand providing service to the commuter railroad route, within 30 days of the changes to the route schedule taking effect.

5. (New section) The Governor is authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to the amendments to this compact or agreement provided in section 4 of P.L.  , c.   (C. ) (pending before the Legislature as this bill), but in the absence of consent and approval, the Port Authority of New York and New Jersey referred to in the supplemental compact or agreement shall have all of the powers which the State of New York and the State of New Jersey may confer upon it without the consent and approval of Congress.

6. (New section) The Governor is authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the Commonwealth of Pennsylvania supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey entitled “Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties,” as set forth in section 7 of P.L.    , c.    (C. ) (pending before the Legislature as this bill).

7. (New section) a. The Delaware River Port Authority shall develop a route schedule for each Port Authority Transit Corporation (PATCO) route operated by the authority or by any subsidiary company owned by the authority.

b. The authority shall publish the route schedule, developed pursuant to subsection a. of this section, on the port authority’s website and at each transportation facility, station, stop, or stand providing service to the PATCO route operated by the authority or by any subsidiary company of the authority.

c. In the event that the route schedule, developed pursuant to subsection a. of this section, is changed by the authority, the authority shall update its website to reflect the changes and post the new route schedule at each transportation facility, station, stop, or stand providing service to the PATCO route, within 30 days of the changes to the route schedule taking effect.

8. (New section) The Governor is authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to the amendments to this compact or agreement provided in section 7 of P.L. , c. (C. ) (pending before the Legislature as this bill), but in the absence of consent and approval, the Delaware River Port Authority shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

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

4. For the purposes of sections 3 through 9 of P.L.2013, c.224 (C.56:16-1 et seq.) and section 10 of P.L. , c. (C. ) (pending before the Legislature as this bill):

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

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

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

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

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

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

(6) an autocab, limousine, or livery service as defined in R.S.48:16-13 or section 2 of P.L.1997, c.356 (C.48:16-13.1), unless that service becomes or is held out to be regular service between stated termini;

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

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

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

(10) a vehicle designed to transport eight or more, but fewer than 16, persons, including the driver, which is used exclusively for the transportation of persons between an off-airport parking facility and an airport;

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

(12) a vehicle that is owned or leased by a "boarding or nursing home," as defined by section 2 of P.L.1977, c.238 (C.26:2H-37), by an "assisted living facility," as defined by section 1 of P.L.2009, c.61 (C.26:2H-12.56), by an adult day health care facility or pediatric day health care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et al.), or by any facility or other entity licensed or approved by the Department of Human Services or the Department of Health to render services to New Jersey residents, and which is used to transport eight or more, but fewer than 16 persons, including the driver, to and from recreational and social activities, shopping, and other health care providers; provided that no charge is assessed each time a patient, resident, or client utilizes the transportation service.

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

"For hire" means for direct or indirect hire, any service for which the driver of the vehicle is compensated, or which is included in the duties of the person who renders services for compensation, but shall not include transportation services that are provided to patients or residents of a "boarding or nursing home," as defined by section 2 of P.L.1977, c.238 (C.26:2H-37), an "assisted living facility," as defined by section 1 of P.L.2009, c.61 (C.26:2H-12.56), an adult day health care facility or pediatric day health care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et al.), or to patients, residents, or clients of any facility or other entity that is licensed or approved by the Department of Human Services or the Department of Health to render services to New Jersey residents, unless a charge is assessed each time a patient, resident, or client utilizes the transportation services.

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

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

(cf: P.L.2015, c.31, s.1)

10. (New section) a. The owner of an autobus shall develop a route schedule for each autobus providing fixed route service provided by the owner or operator.

b. The owner or operator shall publish the route schedule, developed pursuant to subsection a. of this section, on the website of the owner or operator and at each transportation facility, station, stop, or stand where the autobus provides fixed route service.

c. In the event that the route schedule, developed pursuant to subsection a. of this section, is changed by the owner or operator, the owner or operator shall update the owner or operator’s website to reflect the changes and post the new route schedule at each transportation facility, station, stop, or stand where the autobus provides fixed route service, within 30 days of the changes to the route schedule taking effect.

11. a. Sections 1 through 2 and sections 9 through 10 of this act shall take effect on the first day of the sixth month following enactment.

b. Sections 3 through 5 of this act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect as sections 3 through 5 of this act; but if the State of New York shall already have enacted such legislation, sections 3 through 5 of this act shall take effect immediately.

c. Sections 6 through 8 of this act shall take effect upon the enactment into law by the Commonwealth of Pennsylvania of legislation having an identical effect as sections 6 through 8 of this act; but if the Commonwealth of Pennsylvania shall already have enacted such legislation, sections 6 through 8 of this act shall take effect immediately.

STATEMENT

This bill requires an owner or operator of certain autobuses to develop a route schedule for each autobus providing fixed route service and to publish the route schedule on the website of the owner or operator and at each transportation facility, station, stop, or stand where the autobus provides fixed route service. The term “autobus” applies to, with certain limited exceptions, a privately-owned autobus operated in intrastate or interstate business over the public highways in this State for the transportation of not more than 40 passengers for hire.

The owner or operator of a ferry service is required to post a route schedule, along with the table of rates, that is visible to passengers entering the boat and on the website of the owner or operator of the ferry.

The bill also requires the New Jersey Transit Corporation (NJ Transit), the Port Authority of New York and New Jersey (PANYNJ), and the Delaware River Port Authority (DRPA) to develop and publish route schedules for each motorbus regular route service route, rail passenger service route, ferry passenger service route, commuter railroad route, or Port Authority Transit Corporation (PATCO) route operated by the respective agency at each transportation facility, station, stop, or stand providing service to the route and on the agency’s website.

This bill requires an owner or operator of certain autobuses, NJ Transit, the PANYNJ, and the DRPA to update their respective websites with any changes to a route schedule and to post the changes in the same manner as the original route schedules were posted, within 30 days of the changes taking effect.