ASSEMBLY, No. 1776

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblywoman NANCY F. MUNOZ
District 21 (Morris, Somerset and Union)

SYNOPSIS

Requires NJT to publish certain safety violations and establish mechanism to report unsafe conduct.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning certain safety information related to the New Jersey Transit Corporation, amending P.L.1979, c.150, and supplementing Title 27 of the Revised Statutes.

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

1. Section 20 of P.L.1979, c.150 (C.27:25-20) is amended to read as follows:

20. a. The corporation shall, by September 15 of each year, file with the Commissioner of Transportation a report in such format and detail as the Commissioner may require setting forth the actual, operational, capital, and financial results of the previous fiscal year, the operational, capital, and financial plan for the current fiscal year and a proposed operational, capital, and financial plan for the next ensuing fiscal year.

b. On or before October 31 of each year, the corporation shall make an annual report of its activities for the preceding fiscal year to the Governor **[**and to the presiding officers and the Transportation Committees of both Houses of the Legislature**]** , the President of the Senate, Speaker of the General Assembly, and the Assembly Transportation and Independent Authorities Committee and the Senate Transportation Committee, or their successor committees. Each such report shall set forth a complete operating and financial statement covering its operations and capital projects during the year. The report shall also include an account of the on-time performance of rail passenger service, including light rail service, operated by, or under contract to, the corporation, including data for each such passenger line. The report shall provide a detailed discussion of the methodology used by the corporation in measuring on-time performance.

c. All records of minutes, accounts, bills, vouchers, contracts, or other papers connected with or used or filed with the corporation or with any officer or employee acting for or in its behalf are hereby declared to be **[**public**]** government records and shall be open to public inspection in accordance with P.L.1963, c.73 (C.47:1A-1 et seq.) and regulations prescribed by the corporation.

d. The corporation shall cause an audit of its books and accounts to be made at least once each year by certified public accountants and the cost thereof may be treated as a cost of operation. The audit shall be filed within **[**4**]** four months after the close of the fiscal year of the corporation and a certified duplicate copy thereof shall be filed with the Division of Budget and Accounting in the Department of the Treasury.

e. Notwithstanding the provisions of any law to the contrary, the State Auditor or his legally authorized representative may examine the accounts and books of the corporation.

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.

f. a. Except as otherwise provided by law, the corporation shall publish quarterly on or by March 31, June 30, September 30, and December 31 of each year on its website information detailing any safety violation issued to the corporation in the previous quarter by the federal Occupational Safety and Health Administration, the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, the Federal Transit Administration, or any other federal agency and the amount of the fine paid by the corporation as a result of the violation. Information detailing safety violations issued by any federal agency published pursuant to this subsection shall remain on the corporation's website for five years from the date of issuance of the violation.

b. Except as otherwise provided by law, the corporation shall publish on its website information detailing any safety violation issued to the corporation during the five years prior to the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) by the federal Occupational Safety and Health Administration, the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, the Federal Transit Administration, or any other federal agency and the amount of the fine paid by the corporation as a result of the violation. Information detailing safety violations issued in the five years prior to the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) by any federal agency published pursuant to this subsection shall remain on the corporation's website for five years from the date the violation is published on the corporation's website.

(cf: P.L.2007, c.263, s.1)

2. (New section) The Executive Director of the New Jersey Transit Corporation shall establish a mechanism, by means of a toll-free telephone hotline and electronic mail address, through which a person may confidentially report incidents of suspected safety violations or any other conduct that is reasonably expected to jeopardize the health or safety of the general public.

3. This act shall take effect on the first day of the sixth month following enactment but the Executive Director of the New Jersey Transit Corporation may take such anticipatory administrative action in advance of that date as may be necessary for the timely implementation of this act.

STATEMENT

This bill requires the New Jersey Transit Corporation (New Jersey Transit) to publish quarterly each year on its website information detailing any safety violations issued in the previous

quarter to New Jersey Transit by any federal agency and the amount of the fine paid by New Jersey Transit as a result of the violation. The bill requires New Jersey Transit to publish on its website information detailing any safety violation issued to New Jersey Transit during the five years prior to the effective date of the bill by any federal agency and the amount of the fine paid by New Jersey Transit as a result of the violation.

Under the bill, information detailing safety violations issued by any federal agency published on New Jersey Transit's website is to remain on New Jersey Transit's website for five years from the date of issuance. Information detailing safety violations issued in the five years prior to the bills effective date is to remain on New Jersey Transit's website for five years from the date the violation is published on New Jersey Transit's website.

The bill also requires New Jersey Transit to establish a mechanism, by means of a toll-free telephone hotline and electronic mail address, through which a person may confidentially report incidents of suspected safety violations or any other conduct that is reasonably expected to jeopardize the health or safety of the general public.