[First Reprint]

ASSEMBLY, No. 2456

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)
Senator NICHOLAS P. SCUTARI
District 22 (Middlesex, Somerset and Union)
Senator JOSEPH P. CRYAN
District 20 (Union)

Co-Sponsored by:
Assemblyman Wimberly, Assemblywomen Reynolds-Jackson, Quijano, Pinkin, Assemblyman Freiman, Senators Addiego, Ruiz, Diegnan, Pou and T.Kean

SYNOPSIS

Provides that users of Access Link paratransit service are automatically eligible for and enrolled in motor bus and rail passenger discounted fare program.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on June 8, 2020, with amendments.

(Sponsorship Updated As Of: 6/29/2020)

AN ACT concerning motor bus and rail passenger discounted fare program eligibility and amending P.L.1973, c.126 and P.L.1987, c.99.

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

1. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to read as follows:

2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.), unless the context clearly indicates otherwise:

"Access Link service" means the paratransit service implemented by the New Jersey Transit Corporation for the purposes of complying with the "Americans with Disabilities Act of 1990," Pub.L.101-336 (42 U.S.C. s.12101 et seq.).

"Carrier" means any individual, copartnership, association, corporation, joint stock company, public agency, trustee, or receiver operating motor buses or rail passenger service on established routes within this State or between points in this State and points in adjacent states.

"Commissioner" means the Commissioner of Transportation; provided, however, that the commissioner may delegate any of the commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-64 et seq.) to any subordinate division, agency, or employee of the Department of Transportation or to the New Jersey Transit Corporation.

"Disabled veteran" means "disabled veteran" as defined in N.J.S.11A:5-1.

"Motor bus" means "autobus" as defined in R.S.48:4-1, and includes those autobuses, commonly called jitneys, as defined in R.S.48:16-23.

"Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and from 7 p.m. to 6 a.m. during the weekdays, and all day on Saturdays, Sundays, and holidays.

"Person with disabilities" means any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected. A "person with disabilities" shall include a person determined by the New Jersey Transit Corporation to be eligible for its Access Link service.

"Senior citizen" means any individual 62 years of age or over.

(cf: P.L.2017, c.131, s.107)

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:
[1]Assembly ATR committee amendments adopted June 8, 2020.

2. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to read as follows:

4. In establishing this program, the commissioner shall, after consulting with the Commissioner of Community Affairs, the [1]**[**Deputy Commissioner**]** Director[1] of the Division of Aging Services in the Department of Human Services, and the Board of Public Utilities, establish uniform procedures for:

a. Determining the eligibility of persons to receive the reduced fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.), which shall include those persons determined by the New Jersey Transit Corporation to be eligible for its Access Link service;

b. Making reduced fares available to eligible persons; and

c. Auditing and accounting to insure that no carrier receives payments in excess of the value of services actually rendered to senior citizens, persons with disabilities, and disabled veterans pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).

(cf: P.L.2017, c.131, s.109)

3. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read as follows:

2. The Commissioner of Transportation shall, after consulting with other relevant departments and agencies, adopt reasonable regulations necessary to carry out the purposes of P.L.1987, c.99 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall include a procedure by which the commissioner shall:

a. issue an identification card [1]**[**to a travel attendant**]**[1], upon certification of a physician or upon certification of another person as prescribed by the commissioner, that a person with disabilities requires the assistance of a travel attendant in order to use public transportation; and

b. automatically issue an identification card to a person determined by the New Jersey Transit Corporation, after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), to be eligible for its Access Link service at the time of that determination. For a person determined eligible for Access Link service prior to the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), the commissioner shall issue an identification card within 60 days after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) or [1]**[**, if upon request from an eligible person,**]**[1] immediately upon request [1]of the eligible person, whichever shall be earlier[1].

(cf: P.L.2017, c.131, s.114)

4. This act shall take effect immediately.