

[Second Reprint]

## **ASSEMBLY, No. 5336**

# **STATE OF NEW JERSEY**

## **219th LEGISLATURE**

INTRODUCED JANUARY 27, 2021

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblywoman B.DeCroce, Assemblyman Johnson, Assemblywoman Swain, Assemblyman Tully, Senators T.Kean, Cunningham, Stack, Gopal and Ruiz**

### **SYNOPSIS**

Requires DHS to establish payment programs for purchase of transportation services from private sector and government transportation service providers.

### **CURRENT VERSION OF TEXT**

As amended on January 10, 2022 by the General Assembly pursuant to the Governor's recommendations.

**(Sponsorship Updated As Of: 12/20/2021)**

1 AN ACT concerning <sup>1</sup>**[Division of Developmental Disabilities]**  
 2 <sup>2</sup>**[Department of Human Services<sup>1</sup> funding for]**<sup>2</sup> transportation  
 3 services for persons with <sup>1</sup>**[developmental]** certain<sup>1</sup> disabilities  
 4 <sup>2</sup>**[and supplementing Title 30 of the Revised Statutes]**<sup>2</sup>.

5  
 6 **BE IT ENACTED** by the Senate and General Assembly of the State  
 7 of New Jersey:  
 8

9 1. a. The <sup>1</sup>**[Director of the Division of Developmental**  
 10 **Disabilities in the Department]** Commissioner<sup>1</sup> of Human Services  
 11 shall <sup>2</sup>**[develop a payment program utilizing existing <sup>1</sup>**[division]**  
 12 department<sup>1</sup> transportation funding that provides] transmit a written  
 13 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
 14 (C.52:14-19.1), to the Legislature, regarding expanding the  
 15 accessibility and availability of transportation options in the State for<sup>2</sup>  
 16 persons <sup>1</sup>**[with developmental disabilities]** diagnosed with autism  
 17 spectrum disorder and persons with intellectual and developmental  
 18 disabilities<sup>1</sup> <sup>2</sup>**[individual monthly budgets for personal travel.] with**  
 19 the purchase of transportation services through private sector and  
 20 governmental entitites.<sup>2</sup>**

21 b. <sup>2</sup>**[The program shall establish a method to allow individuals to**  
 22 **use their personal budget to pay for travel on: (1) motorbus regular**  
 23 **route service, rail passenger service, and light rail service operated by**  
 24 **or under contract to the New Jersey Transit Corporation; (2) pay-per-**  
 25 **ride trips provided by county transportation agencies that participate in**  
 26 **the "Senior Citizen and Disabled Resident Transportation Assistance**  
 27 **Act," P.L.1983, c.578 (C.27:25-25 et seq.); and (3) individual trips**  
 28 **with taxi services and transportation network companies with drivers**  
 29 **that have completed the Community Transportation Association of**  
 30 **America's (CTAA) Passenger Assistance, Safety, and Sensitivity**  
 31 **(PASS) driver training program.**

32 c. The <sup>1</sup>**[director]** commissioner<sup>1</sup> shall develop rules and  
 33 regulations that encourage the utilization of existing county  
 34 transportation agency services for travel to and from day programs and  
 35 employment sites. If day programs and employment sites are not  
 36 currently accessible through county transportation agency services, the  
 37 <sup>1</sup>**[division]** department<sup>1</sup> shall coordinate with county transportation  
 38 agencies to establish these services. The report shall include, but need  
 39 not be limited to, the following:

40 (1) a survey of currently available public and private  
 41 transportation for individuals with autism spectrum disorder and  
 42 persons with intellectual and developmental disabilities, including an  
 43 analysis of barriers to transportation for individuals with disabilities;

**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:**

<sup>1</sup>Assembly ATR committee amendments adopted March 15, 2021.

<sup>2</sup>Assembly amendments adopted in accordance with Governor's recommendations January 10, 2022.

1       (2) an analysis of current federal and State laws and regulations  
2 governing transportation services, including any restrictions on  
3 funding or use;

4       (3) best practices for enhancing and expanding transportation  
5 services and options for individuals with intellectual and  
6 developmental disabilities receiving services from the Department of  
7 Human Services;

8       (4) recommendations on ways to permit individuals enrolled in  
9 department services to use existing funding for more accessible or  
10 convenient transportation services;

11       (5) resources that may be necessary or appropriate to accomplish  
12 the expansion of transportation options; and

13       (6) any other factors or considerations deemed appropriate by the  
14 commissioner.

15       c. The Department may contract with a vendor to conduct the  
16 study. No later than 60 days following enactment, the Department  
17 shall commence the study or shall commence the process of obtaining  
18 a vendor. The Department or its designee may consult with other State  
19 agencies, including but not limited to, the Department of Children and  
20 Families, the Department of Transportation and the New Jersey Transit  
21 Corporation, as appropriate.

22       d. The commissioner may adopt rules and regulations necessary to  
23 effectuate the purposes of this act, which rules and regulations shall be  
24 effective immediately upon filing with the Office of Administrative  
25 Law for a period not to exceed 18 months, and may, thereafter, be  
26 amended, adopted or readopted in accordance with the provisions of  
27 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
28 seq.).<sup>2</sup>

29  
30       2. This act shall take effect immediately, but remain inoperative  
31 for 180 days following enactment <sup>2</sup>, and shall expire upon the  
32 submission of the report to the Governor and the Legislature pursuant  
33 to section 1 of this act<sup>2</sup>.