

[First Reprint]

SENATE, No. 1563

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

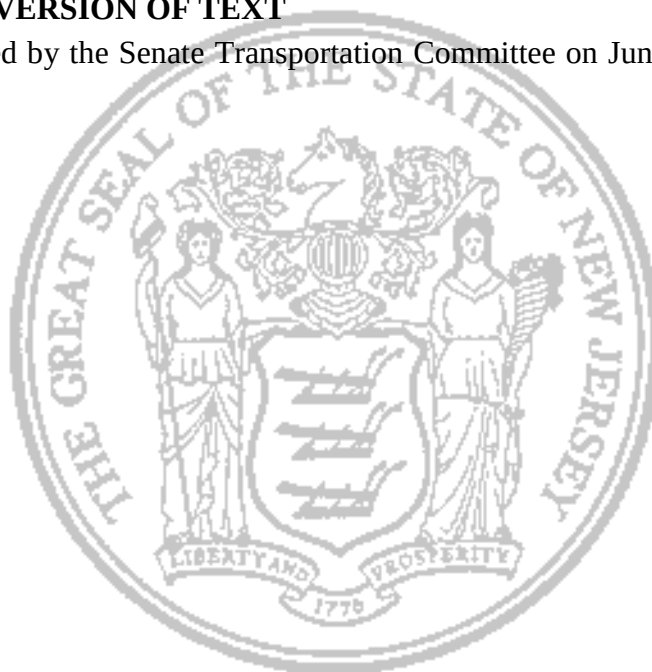
Senators Addiego, Ruiz, Diegnan, Pou and T.Kean

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 Senate Transportation Committee on June 8, 2020, with amendments.



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

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

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

7
 8 1. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to
 9 read as follows:

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

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

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

21 "Commissioner" means the Commissioner of Transportation;
 22 provided, however, that the commissioner may delegate any of the
 23 commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-
 24 64 et seq.) to any subordinate division, agency, or employee of the
 25 Department of Transportation or to the New Jersey Transit
 26 Corporation.

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

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

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

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

43 "Senior citizen" means any individual 62 years of age or over.
 44 (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:

¹Senate STR committee amendments adopted June 8, 2020.

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

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

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

12 b. Making reduced fares available to eligible persons; and

13 c. Auditing and accounting to insure that no carrier receives
14 payments in excess of the value of services actually rendered to
15 senior citizens, persons with disabilities, and disabled veterans
16 pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).
17 (cf: P.L.2017, c.131, s.109)

18

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

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

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

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

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

45

46 4. This act shall take effect immediately.