

CHAPTER 20

AN ACT concerning discounted motor bus and rail passenger fares for disabled veterans 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 1 of P.L.1973, c.126 (C.27:1A-64) is amended to read as follows:

C.27:1A-64 Findings, declarations.

1. The Legislature hereby finds and declares that:
 - a. Many senior citizens and persons with disabilities, including disabled veterans, in this State depend on public transportation facilities to obtain the necessities of life, including food, clothing, and medical services, and to visit their families and friends; ready access to transportation services is thus essential to their health, safety, and welfare.
 - b. Many senior citizens and persons with disabilities, including disabled veterans, live on fixed or limited incomes, and the high cost of transportation services makes it difficult for them to take advantage of these services.
 - c. (Deleted by amendment, P.L.1999, c.179).
 - d. (Deleted by amendment, P.L.1999, c.179).
 - e. It is therefore a valid public purpose, and in the best interest of all the people of this State, to provide for reduced bus and rail fares for senior citizens, persons with disabilities, and all disabled veterans at State expense.

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

C.27:1A-65 Definitions.

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

"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.

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

3. Section 3 of P.L.1973, c.126 (C.27:1A-66) is amended to read as follows:

C.27:1A-66 Program to provide motor bus and rail passenger service at reduced rates for certain individuals.

3. The Commissioner of Transportation is hereby authorized and directed to establish and implement a program to provide motor bus and rail passenger service for senior citizens during offpeak times and to provide motor bus and rail passenger service for senior citizens age 65 and older, persons with disabilities, and all disabled veterans at all times bus or rail service is offered, on regular routes of carriers within the State or between points in this State and points in adjacent states at one-half of the regular adult rates of fare, except that the reduced fare shall not be available to senior citizens, persons with disabilities, or disabled veterans traveling on commuter railroad trains operated during peak times which have been designated by the New Jersey Transit Corporation as ineligible for round trip excursion fares. The commissioner may take any action that the commissioner deems necessary to implement this program, including contracts with carriers for the provision of transportation services under this program, purchase of regular tickets and resale to senior citizens, persons with disabilities, and disabled veterans at one-half the ordinary fare, or direct payments to carriers for services provided to senior citizens, persons with disabilities, and disabled veterans under this program. Where carriers may be entitled to receive or do receive funds from sources other than the Department of Transportation for the provision of service to senior citizens, persons with disabilities, and disabled veterans, reimbursement payments which may be made by the Department of Transportation to the carriers may be adjusted accordingly.

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

C.27:1A-67 Establishment of program.

4. In establishing this program, the commissioner shall, after consulting with the Commissioner of Community Affairs, the Deputy Commissioner 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.);
- 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.).

5. Section 7 of P.L.1973, c.126 (C.27:1A-70) is amended to read as follows:

C.27:1A-70 Provision of further fare reductions.

7. Nothing in P.L.1973, c.126 (C.27:1A-64 et seq.) shall preclude any carrier from providing further fare reductions for senior citizens, persons with disabilities, and disabled veterans or preclude any municipality from contracting for further reductions pursuant to P.L.1973, c.67 (C.40:48-4.1 et seq.), or any other law.

6. Section 8 of P.L.1973, c.126 (C.27:1A-71) is amended to read as follows:

C.27:1A-71 Employees, advertisement of program.

8. The commissioner is hereby authorized to hire, employ, or assign secretarial, clerical, and other personnel as shall be required for complying with the provisions of P.L.1973, c.126

(C.27:1A-64 et seq.). The commissioner may also expend a reasonable sum, not to exceed \$50,000 annually, for advertising to make senior citizens, persons with disabilities, and disabled veterans aware of the program and the availability of the reduced fares thereunder.

7. Section 9 of P.L.1973, c.126 (C.27:1A-72) is amended to read as follows:

C.27:1A-72 Transportation at reduced fare.

9. Notwithstanding any of the provisions of chapter 3 of Title 48 of the Revised Statutes or of any other law to the contrary, any eligible senior citizen, person with disabilities, or disabled veteran may be transported by any motor bus carrier at less than the usual and ordinary fare charged to one person.

8. Section 1 of P.L.1987, c.99 (C.27:1A-73) is amended to read as follows:

C.27:1A-73 Reduced fare for travel attendant, guide.

1. Notwithstanding the provisions of P.L.1973, c.126 (C.27:1A-64 et seq.) or any other law to the contrary, a person with disabilities and the person's travel attendant or guide shall be transported by any motorbus or rail carrier operated pursuant to the "New Jersey Public Transportation Act of 1979," P.L.1979, c.150 (C.27:25-1 et seq.) at the fare charged to one person with disabilities during peak or offpeak times, as the case may be. For the purposes of this section, a "person with disabilities" is one defined pursuant to section 2 of P.L.1973, c.126 (C.27:1A-65) who requires the assistance of a travel attendant or guide in order to use public transportation.

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

C.27:1A-74 Regulations.

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 issue an identification card, 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 or guide in order to use public transportation.

10. This act shall take effect immediately.

Approved February 10, 2017.