

CHAPTER 151

AN ACT concerning medical examinations for certain special licenses and amending R.S.39:3-10.1 and P.L.1975, c.284.

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

1. R.S.39:3-10.1 is amended to read as follows:

Licensing of bus drivers, exceptions.

39:3-10.1. No person shall drive any motor vehicle or trackless trolley with a capacity of more than six passengers used for the transportation of passengers for hire or for the transportation of passengers to or from summer day camps or summer residence camps or any bus as defined by the chief administrator used for the transportation of passengers, or any bus used to transport children to and from school pursuant to N.J.S.18A:39-1 et seq. or when being used by a private school to transport children to and from school, unless specially licensed so to do by the chief administrator or in the case of a nonresident, licensed pursuant to the laws of the nonresident's state of residence with respect to the licensing of bus drivers, except that this provision shall not apply to the operators of vehicles used in ride-sharing arrangements, taxicabs, motor vehicles with a capacity of more than six passengers, which are owned and operated directly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services and which shall not be used in that capacity at any time to pick up or discharge passengers to any airline terminal, train station, or other transportation center, or for any purpose not directly related to the provision of funeral services.

Such license shall not be granted by the chief administrator until the applicant therefor is at least 18 years of age and has passed a satisfactory examination in ascertainment of the applicant's driving ability and familiarity with the mechanism of said vehicle and has presented evidence, satisfactory to the chief administrator of the applicant's previous experience (including proof that the applicant has had at least three years of driving experience), good character, and physical fitness in the form of a medical examination and accompanying medical certificate completed by a medical examiner listed on the National Registry of Certified Medical Examiners maintained by the Federal Motor Carrier Safety Administration. The accompanying medical certificate shall contain the medical examiner's National Registry of Certified Medical Examiners number. Said license shall be effective until suspended or revoked by the chief administrator; provided, the special licensee is also the holder of a license as provided for in R.S.39:3-10.

Every holder of a special license issued pursuant to this section shall furnish to the chief administrator satisfactory evidence of continuing physical fitness in the form of a medical examination and accompanying medical certificate completed by a medical examiner listed on the National Registry of Certified Medical Examiners maintained by the Federal Motor Carrier Safety Administration, good character, and experience at the time of application renewal or such other time as the chief administrator may require, and in such form as the chief administrator may require. In addition to the medical examination required of every holder of special license issued pursuant to this section, every holder of a special license issued pursuant to this section for the transporting of children to and from schools, pursuant to N.J.S.18A:39-1 et seq.:

- a. who is 70 years of age or older shall annually furnish to the holder's employer for review by the commission at the commission's biannual inspection satisfactory evidence of

continuing physical fitness in the form of a medical examination completed by a licensed medical doctor or licensed osteopathic physician; and

b. who is 75 years of age or older shall every six months furnish to the holder's employer for review by the commission at the commission's biannual inspection satisfactory evidence of continuing physical fitness in the form of a medical examination completed by a licensed medical doctor or osteopathic physician. In addition, any person applying for a special license and any person who is the holder of a special license pursuant to this section for the transporting of children to and from schools, pursuant to N.J.S.18A:39-1 et seq., shall comply with the provisions of section 2 of P.L.1975, c.284 (C.39:3-10.1a) and section 6 of P.L.1989, c.104 (C.18A:39-19.1).

The chief administrator may suspend or revoke a license granted under authority of this section for a violation of any of the provisions of this subtitle, or on other reasonable grounds, or where, in the chief administrator's opinion, the licensee is either physically or morally unfit to retain the same. Notwithstanding the provisions of any law to the contrary, the chief administrator shall, upon notice of disqualification from the Commissioner of Education pursuant to section 6 of P.L.1989, c.104 (C.18A:39-19.1), immediately revoke the special license granted under authority of this section without the necessity of a further hearing.

The chief administrator may make such rules and regulations as the chief administrator may deem necessary to carry out the provisions of this section.

2. Section 2 of P.L.1975, c.284 (C.39:3-10.1a) is amended to read as follows:

C.39:3-10.1a School bus driver; certain tests required.

2. a. All drivers of buses or other vehicles used by a board of education or by a private or parochial school for the transportation of pupils to and from school shall, in addition to any exam required by law, submit to a medical exam for the presence of alcohol, narcotics, or habit-producing drugs within the scope of the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et seq.).

b. All drivers of buses or other vehicles used by a board of education or by a private or parochial school for the transportation of pupils to and from school shall, in addition to any exam required by law, submit to a medical exam that includes hearing and visual acuity tests that are in accordance with the provisions of the "Motor Carrier Safety Improvement Act of 1999," 49 U.S.C. s.113, any supplements or amendments thereto, and any federal regulations promulgated thereunder.

3. This act shall take effect immediately.

Approved December 17, 2018.