

## SCHOOL BUS BILL A-2180

On October 4, 2024, Senator Vince Polistina's (R-2) bill to address the shortage of school bus drivers in New Jersey by allowing drivers with a Type S School Bus certificate to transport children to and from school was signed by Governor Murphy.

Currently, only drivers with a commercial driver's license (CDL) may operate a school vehicle. In addition to obtaining a CDL, drivers must meet certain requirements including being at least 21 years of age, having a basic New Jersey driver's license, having good vision, and obtaining both passenger and school bus endorsements on their CDL.

Senator Polistina's bill, A-2180/S-3000, creates a Type S Bus Certificate to permit eligible drivers to operate a Type S school vehicle without obtaining a CDL or endorsements. To obtain this certificate, eligible drivers would be required to meet certain age, and physical requirements as outlined in the bill. Type S buses are smaller vehicles that can transport up to nine passengers.

In addition, under the provisions of the new law the board of education, governing body of a nonpublic school, or State agency may also designate school personnel to transport school children to and from school. The new law provides the option to have additional drivers to transport children, however, it is at the discretion of the board of education, governing body of a nonpublic school, or State agency to decide whether to utilize it. The designated personnel will only be deemed qualified to transport school children to and from school if the designated school personnel meet the following criteria:

- be at least 21 years of age; possess a New Jersey driver's license for a minimum of three years;
- have a completed physical on file with the school district or local education agency;
- have a completed a criminal history background check by the New Jersey Department of Education and a Child Abuse Record Information check;
- submit a driving record for the past five years demonstrating evidence of no alcohol or drug-related motor vehicle violations; and
- has completed the training program established in accordance with P.L.2015, c.123 (C.18A:39-19.2 et seq.) on appropriate procedures for interacting with students with special needs.

If a board of education, governing body of a nonpublic school, or State agency decides to take advantage of the new law, there are 3 requirements to which it must adhere:

1. Evidence of automobile insurance requirements for the vehicle must be submitted to the Executive County Superintendent by a date to be set by the Commissioner of the Department of Education.
2. Each year prior to transporting school children, the list of designated drivers qualified to transport school children must be submitted to the Executive County Superintendent by a date to be set by the Commissioner of the Department of Education.
  - **NOTE:** Only school personnel submitted by that date will be eligible to transport school children to and from school for a given school year.

3. Periodic copies of the designated personnel's driving record showing no alcohol or drug-related motor vehicle violations, or any other motor vehicle violations that would disqualify the driver's eligibility of transporting school children must be submitted to the Executive County Superintendent by a date and at a frequency to be set by Commissioner of the Department of Education.
  - **NOTE:** Failure to provide the requisite driving record within the prescribed time frame will result in the removal of that individual from the list of designated drivers.
  - **NOTE:** While periodic copies are not definitive, it's recommended to annually conduct a motor vehicle record check. Please review the [Safety Director Bulletin: Motor Vehicle Record Checks: Non-CDL Driver Best Practices](#).

**Any person authorized by a board, body, or agency to provide such transportation services shall not be required to be licensed or regulated as a school bus driver.**

Additionally, any board of education, governing body of a nonpublic school, or State agency may authorize a person certified as a mobility assistance vehicle technician to transport a student with medical needs to and from school or related school activities in a mobility assistance vehicle. Any certified mobility assistance vehicle technician authorized by a board, body, or agency to provide such transportation services shall not be required to be licensed or regulated as a school bus driver.

Each year prior to transporting students, a certified mobility assistance vehicle technician who transports a student with medical needs in accordance with this section shall furnish to the executive county superintendent a criminal history background check and evidence of a check for the technician's record of alcohol and drug-related motor vehicle violations.

**This legislation is effective on the first day of the first full school year next following the date of enactment, in other words, July 1, 2025.**