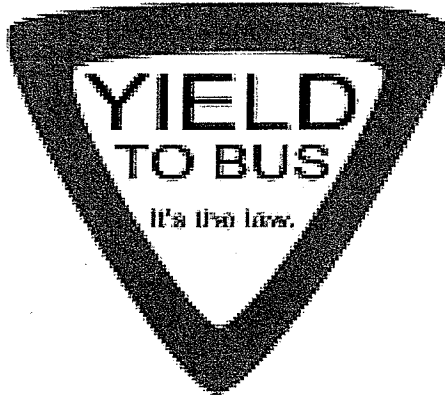


**REPORT TO THE GOVERNOR
AND THE LEGISLATURE
ON
YIELD-TO-BUS STUDY**



Prepared by:

**New Jersey Department of Transportation
New Jersey Transit Corporation**

March 2007



State of New Jersey
DEPARTMENT OF TRANSPORTATION

From the Desk of DIANE NADOLA *dn*
Principal Research Analyst
Division of Policy, Legislation & Regulatory Actions

Phone: 609-530-5964
Fax: 609-530-3841

To: Peter J. Mazzei, Manager
Office of Legislative Services

Re: Yield to Bus Report

Date: April 3, 2007

Enclosed are five copies of the Department's Yield to Bus Report which was prepared in cooperation with NJ Transit. The report was required by Public Law 2003, Chapter 226 (N.J.S.A. 39:4-87.1). It provides a summary of the public education programs developed by NJ Transit and an assessment of the need for further action to effectuate the purposes of the act.

Please contact me if you have any questions or if you need additional copies of the report.



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

JON S. CORZINE
Governor

KRIS KOLLURI
Commissioner

Dear New Jersey Resident:

Public Law 2003, Chapter 226 (N.J.S.A. 39:4-87.1) required the Commissioner of the New Jersey Department of Transportation to study the need for further action to effectuate the purposes of the newly enacted Yield to Bus law and report its findings to the Governor and the Legislature. The New Jersey Transit Corporation was required to conduct a public education program to inform motorists of the requirements of the newly enacted law.

Pursuant to this mandate, this report explains the process taken by the Department of Transportation to determine the effectiveness of the Yield to Bus law and presents an analysis of our findings. The Department's Bureau of Safety Programs collected the crash data that was used in this report. The report recommends that New Jersey Transit continue the public education program in order to improve highway safety and the safety of transit riders.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Kolluri", written over a horizontal line.

Kris Kolluri
Commissioner
New Jersey Department of Transportation

A handwritten signature in black ink, appearing to read "George D. Warrington", written in a cursive style.

George D. Warrington
Executive Director
New Jersey Transit Corporation

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EXECUTIVE SUMMARY

This report is issued pursuant to the requirements of P.L. 2003, c. 226, the Yield-to-Bus law, which concerns the right-of-way of certain buses. Signed into law on January 9, 2004, effective August 1, 2004, the law requires that the driver of a non-emergency vehicle yield the right of way to a bus that is reentering an active traffic lane from a bus stop after picking up or discharging passengers. The penalty for a violation of this law is a fine of \$50 to \$200 and up to 15 days imprisonment, or both.

The law required NJ Transit to conduct a public education program to inform motorists of the new yield to bus requirement. The law also required the Commissioner of Transportation to study the need for further action to effectuate the purposes of the act and to issue a report to the Governor and the Legislature on those findings. This report summarizes that public education program and the Department's assessment of the need for further action to effectuate the purposes of the act.

NJ Transit successfully implemented a public education program regarding the Yield-to-Bus law that included sending out letters about the law to mayors, legislators, and private bus company operators; distribution of panel cards designed to summarize the new law; utilization of the NJ Transit website to inform the public about the new law; and inclusion of a brief description of the law in the paychecks of every State employee. In addition, to alert motorists about the Yield-to-Bus law, New Jersey Transit designed a decal to be placed on the back of each of its 2,000 plus buses and provided another 1,000 plus decals to the various private bus carriers.

The New Jersey Department of Transportation (Department), in consultation with NJ Transit, has evaluated available data from crash statistics collected by the Department's Bureau of Safety Programs, to determine if that information could provide insight into the effectiveness of the new Yield-to-Bus law, in support of an assessment of the need for further action to effectuate the purposes of the act. The Department's ability to assess the effectiveness of the Yield-to-Bus law was somewhat limited by type and accuracy of relevant available data. The data that was available, however, suggests that a very small percentage of crashes involving both NJ Transit buses and other bus carriers are a result of the failure of a vehicle to yield to a bus reentering traffic. This is particularly true when considering that over 3,000 buses stop at approximately 17,200 bus stops daily and that NJ Transit buses alone travel approximately 86 million vehicle miles a year. That being said, any law that further reduces the potential for conflict between vehicles and buses providing a critical service to New Jersey's citizens can only be seen as a positive measure to improve highway safety and the safety of our transit customers. It is the Department's recommendation, therefore, that various elements of NJ Transit's

public education program continue, so as to reinforce the intent of this valuable legislation. These elements should include the following:

- NJ Transit should continue to make available the Yield-to-Bus decals to private bus carriers, when requested by those carriers;
- All NJ Transit buses should have a Yield-to-Bus decal properly located so as to be visible to vehicles approaching a bus from the rear; and
- NJ Transit should continue to make information regarding the Yield-to-Bus law available on its website.

INTRODUCTION

P.L. 2003, c. 226 was signed into law on January 9, 2004 and took effect on August 1, 2004 (see Appendix 1). It is referred to as the Yield-to-Bus law, and established the right of way of certain buses, including NJ Transit buses and those buses that provide regularly scheduled service on a regular route. The law requires that:

“the driver of a non-emergency vehicle upon a highway shall yield the right of way to any bus provided that:

1. the driver is operating a vehicle that is in a position to overtake the bus from its rear; and
2. the bus, after exiting an active traffic lane for the purpose of stopping to receive or discharge passengers, is attempting to reenter the lane from which it exited and to enter the traffic lane occupied by the driver by signaling its intention to do so.”

No other lane changes are applicable under this law. A violation of the Yield-to-Bus law (C.39:4-87.1) establishes a fine of not less than \$50 or more than \$200 and up to 15 days in jail, or both (C.39:4-203).

The law also required NJ Transit to conduct a public education program in order to inform motorists of the requirements of this law. In addition, the New Jersey Department of Transportation (Department) was required to study the need for further action to effectuate the purposes of this law and report its findings to the Governor and Legislature. The purpose of this report, therefore, is to outline the public education efforts undertaken by NJ Transit regarding the Yield-to-Bus law and to provide the Governor and the Legislature with the Department’s findings on the need for further action to effectuate the purposes of this law.

METHODOLOGY

In response to the newly enacted Yield-to-Bus law, the Department and NJ Transit established a team of employees to develop and implement a public education program regarding the Yield-to-Bus law. The public education program developed by this team consisted of two main elements:

1. Distribution of written information regarding the requirements of the new law; and
2. Installation of decals on the rear of buses.

In addition to the public education program, NJ Transit ensured that all of their bus operators were provided with information about the law and that it was discussed in the daily briefings given to the bus operators before the start of their daily routes.

Public Education Program

NJ Transit initiated its public education program regarding the requirements of the new law on July 27, 2004 with a joint press release from representatives of NJ Transit, the Department, and bill sponsors Assemblyman John S. Wisniewski and Assemblywoman Linda Stender (see Appendix 2). The press release highlighted the provisions of the law and its intent to improve highway safety and the safety of transit customers. The press release was followed by distribution of written material and the signing of buses to warn passing vehicles of the need to yield to buses reentering traffic.

To facilitate distribution of written material, panel cards, measuring 3-1/4" x 8-1/2" in size and printed in English on one side and in Spanish on the other side, were developed that explained the details of the Yield-to-Bus law and the penalties for violating the law (see Appendix 3). These panel cards also included the same Yield-to-Bus logo that would be used for the bus decals, as described below.

The distribution of written material was as follows:

- Letters explaining the Yield-to-Bus law along with panel cards were sent to all NJ Transit contract carriers, private bus companies, mayors, and legislators;
- A message regarding the new Yield-to-Bus law was included in all State employee paychecks (see Appendix 4);
- Information was posted on the NJ Transit internet website (see Appendix 2);
- Panel cards were distributed at the New Jersey League of Municipalities and TransAction conferences;
- Panel cards were distributed to NJ Transit operators;
- Panel cards were "desk dropped" at NJ Transit facilities in Newark and Maplewood;
- Panel cards were placed on seats of NJ Transit commuter trains; and
- Articles appeared in NJ Transit's FYI newsletter which was distributed on seats of trains and buses.

To date, approximately 125,000 panel cards have been printed and distributed.

Finally, as the last element of its public education program the Department and NJ Transit ensured that up-to-date information on the provisions of the Yield-to-Bus law would be available to all new drivers by having it incorporated into the NJ Driver Manual prepared by the NJ Motor Vehicle Commission in the summer of 2006.

Yield-to-Bus Decals

A second element of the public education program for the Yield-to-Bus law was the development and installation of decals with a "Yield to Bus" logo on all NJ Transit buses (see Appendix 4). NJ Transit believed that a decal should be placed on each bus in order to make motorists more aware of the right of a bus to reenter traffic from a bus stop. The decals were designed in-house at NJ Transit with input from government and community groups. The Yield-to-Bus decal states "Yield-to-Bus – It's the law." The decal is triangular in shape, with a red border and black lettering on

a white background. The decal is placed on the rear of the left (passing) side of the bus at differing heights based on the bus type. The decal was produced in two sizes, a large decal measuring 11-1/2" by 10-1/4" and a small decal measuring 5-1/4" by 4-3/4". Approximately 1,000 decals were provided to private bus companies. Over time, the decals will need to be replaced due to fading or when buses are painted.

EVALUATION OF THE LAW'S EFFECTIVENESS

NJ Transit owns and operates the State bus, train, and light rail network and provides support to private bus operators within New Jersey. Bus service in New Jersey is provided by over 2,000 NJ Transit buses and almost another 1,000 buses operated or leased by private carriers. New Jersey has approximately 17,200 bus stops and in 2005 NJ Transit bus service traveled approximately 86 million vehicle miles. Considering that New Jersey is the nation's most densely populated state and that its roadways handled over 71 billion vehicle miles traveled in 2005, it would appear that the potential for conflict between buses and other vehicles on New Jersey's roadways would be great. The intent of the Yield-to-Bus law was to reduce that potential for conflict by requiring vehicles approaching a bus that is reentering traffic from a passenger stop to yield to that bus.

In an effort to determine if the Yield-to-Bus law was effective, so as to determine if further action is needed to effectuate the purposes of the act, the Department sought any available data that could be used for a "before and after" comparison of conflicts between buses and other vehicles. The collection of relevant data for this evaluation quickly became a challenge for a number of reasons. Failure to yield to a bus reentering traffic is presumed to result in an incident between the two vehicles. This incident may, or may not, result in a summons being issued. Further, the Yield-to-Bus law amended existing N.J.S.A. 39:4-87, but no uniform citation was specifically identified for Yield-to-Bus violations, therefore, accurate data that a crash was specifically caused by a failure to yield to a bus was not available. In addition, there is a lack of consistency in how local law enforcement categorize a Yield-to-Bus violation on a summons - in some cases these violations may be categorized under "contributing factors" on the traffic violation citation.

Notwithstanding these challenges, certain data was available as collected by the Department's Bureau of Safety Programs. The Bureau of Safety Programs administers eight safety programs for the Department and obtains information from the State of New Jersey Police Accident Report form. The Crash Records Section of the Bureau of Safety Programs collects, verifies, and enters the data for over 300,000 crashes a year into the accident records database. Data is coded and entered for a variety of accident factors such as time of day, weather conditions, accident type, and location. Queries can be made for a specific type of crash over a designated period of time and can be provided to other agencies in support of their traffic records and safety programs.

It was decided that crash data collected by the Bureau of Safety Programs would be evaluated for the one year period following the effective date of the new law, August 1, 2004 through July 31, 2005. This crash data would then be compared to the prior three year period, in order to determine if there was a change in the number of "Yield-to-Bus-type" crashes. The evaluation of data focused on crashes that involved NJ Transit buses and other buses, and that had been denoted as a "sideswipe" or "rear-end" type crash, on any State, county or municipal roadway. "Sideswipe" and "rear-end" crashes were thought to be the type of crash most reflective of a failure to yield to a bus.

FINDINGS

The initial results of the analysis of available crash data is shown in Table 1. The data suggests that there was essentially no change in the overall number of Yield-to-Bus-type crashes experienced by NJ Transit buses and a slight increase in these types of crashes for all other buses in New Jersey for the year the law went into effect. This may be attributable to the learning curve that occurs with any new law as drivers become familiar with the intent and consequences of a new law.

It was then decided to compare the number of Yield-to-Bus-type crashes with the number of all crashes as shown in Table 2 to evaluate if this type of crash is a significant proportion of bus crashes. This comparison suggests that approximately 41% to 42% of all bus crashes are a Yield-to-Bus-type crash and is shown in Table 3.

This data appeared to suggest that a significant number of bus crashes could be attributed to a failure to yield to a bus, however, the Department was aware that this data could be considered "suspect" in light of the various challenges outlined above, regarding the collection of valid data. To check the validity of these numbers, a random selection of approximately 10% of the crash records (75 records) for the 8/1/04 to 7/31/05 period for NJ Transit Yield-to-Bus-type crash was made and those records were individually reviewed to determine if they were correctly identified as a Yield-to-Bus-type crash. A review of those potential "failure to yield" records indicated that only 8, or 11%, represented true Yield-to-Bus-type crashes. The other crashes represented in that sampling included: crashes with a bus in a stopped condition – 17%, other sideswipe and rear-end crashes – 72%.

The Department believes that from this analysis it can be assumed that the remainder of the crash data would be similarly represented by these percentages, and therefore concludes that only 11% of the crashes shown in this data collection represent true failure to yield to a bus. An adjustment of that data by 11% is shown in Table 4.

TABLE 1

YEARLY YIELD-TO-BUS-TYPE CRASHES ALL ROADWAYS	Pre Yield-to-Bus Law			Post Yield-to- Bus Law
	8/1/01 to 7/31/02	8/1/02 to 7/31/03	8/1/03 to 7/31/04	8/1/04 to 7/31/05
NJ TRANSIT BUSES	772	767	735	735
ALL OTHER BUSES	751	830	786	822
TOTAL	1523	1597	1521	1557

TABLE 2

YEARLY ALL CRASHES ALL ROADWAYS	Pre Yield-to-Bus Law			Post Yield-to- Bus Law
	8/1/01 to 7/31/02	8/1/02 to 7/31/03	8/1/03 to 7/31/04	8/1/04 to 7/31/05
NJ TRANSIT BUSES	1575	1624	1572	1472
ALL OTHER BUSES	2105	2192	2135	2233
TOTAL	3680	3816	3707	3705

TABLE 3

YEARLY YIELD-TO-BUS-TYPE CRASH COMPARED TO ALL CRASHES ON ALL ROADWAYS WITH PERCENTAGES	Pre Yield-to-Bus Law			Post Yield-to- Bus Law
	8/1/01 to 7/31/02	8/1/02 to 7/31/03	8/1/03 to 7/31/04	8/1/04 to 7/31/05
NJ TRANSIT BUSES	772/1575 49%	767/1624 47.2%	735/1572 46.8%	735/1472 49.9%
ALL OTHER BUSES	751/2105 35.7%	830/2192 37.9%	786/2135 36.8%	822/2233 36.8%
TOTAL	1523/3680 41.4%	1597/3816 41.9%	1521/3707 41%	1557/3705 42%

TABLE 4

YEARLY YIELD-TO-BUS-TYPE CRASH ALL ROADWAYS AT 11% of TOTALS	Pre Yield-to-Bus Law			Post Yield-to- Bus Law
	8/1/01 to 7/31/02	8/1/02 to 7/31/03	8/1/03 to 7/31/04	8/1/04 to 7/31/05
NJ TRANSIT BUSES	11% of 772 85	11% of 767 84	11% of 735 81	11% of 735 81
ALL OTHER BUSES	11% of 751 83	11% of 830 91	11% of 786 86	11% of 822 97
TOTAL	11% of 1523 167	11% of 1597 176	11% of 1521 167	11% of 1557 171

CONCLUSIONS

The Department's ability to assess the effectiveness of the Yield-to-Bus law was somewhat limited by type and accuracy of relevant available data. The data that was available, however, suggests that a very small percentage of crashes involving both NJ Transit buses and other bus carriers are a result of the failure of a vehicle to yield to a bus reentering traffic. This is particularly true when considering that over 3,000 buses stop at approximately 17,200 bus stops daily and that NJ Transit buses alone travel approximately 86 million vehicle miles a year. That being said, any law that further reduces the potential for conflict between vehicles and buses providing a critical service to New Jersey's citizens can only be seen as a positive measure to improve highway safety and the safety of our transit customers.

RECOMMENDATIONS

As with any new law, there is a learning curve that occurs for drivers as they become familiar with the intent and consequences of new laws. The only way to improve that learning curve is to continue to reinforce the public education process. It is the Department's recommendation that various elements of NJ Transit's public education program continue, so as to continue to reinforce the intent of this beneficial newly enacted legislation. These elements should include the following:

- NJ Transit should continue to make available the Yield-to-Bus decals to private bus carriers, when requested by those carriers;
- All NJ Transit buses should have a Yield-to-Bus decal properly located so as to be visible to vehicles approaching a bus from the rear; and
- NJ Transit should continue to make information regarding the Yield-to-Bus law available on its website.

APPENDICES

APPENDIX 2

NJ Transit Website Information

www.njtransit.com

[Home](#) > [NJ TRANSIT News](#) > [Press Releases](#) >

NEW LAW TO REQUIRE MOTORISTS TO YIELD

Law Supports Safer Roadways

NEWARK, NJ, JULY 27, 2004 – New Jersey roadways will become a safer place on August 1, the date a new State law goes into effect requiring motorists to yield the right-of-way to buses re-entering traffic after picking up or discharging passengers.

The new law, which was sponsored by Assemblywoman Linda Stender, Assemblyman John S. Wisniewski, and Assemblyman Jack Conners, will require drivers of non-emergency vehicles approaching a NJ TRANSIT or private carrier bus to allow the bus back into the flow of traffic once the passenger stop is completed. New Jersey is one of the first states to pass this type of legislation. Similar laws have been passed in three other states: Florida, Washington and Oregon.

"One of the primary tasks Governor McGreevey assigned to us when he came into office was to improve safety throughout New Jersey's transportation system," said NJ TRANSIT Chairman and Transportation Commissioner Jack Lettiere. "The Governor's 'Safety-First' initiative has been a tremendous success, and this legislation is another step toward his goal of improving safety in all facets of transportation."

"Each year the number of commuters in New Jersey continues to grow, worsening congestion on our roadways," Assemblywoman Stender said. "This bill will further our efforts to make mass transportation safer, more efficient and attractive to New Jersey residents."

"This new law is designed to increase the safety of our roadways and the efficiency of our mass transit," said Assemblyman Wisniewski. "By helping buses merge safely back into traffic after pulling into a bus stop, we can keep traffic moving while making the roads safer."

"The request for this legislation was brought to us by our members and we'd like to thank Assemblywoman Stender, Assemblyman Wisniewski and Assemblyman Jack Conners," said Dan O'Connell, New Jersey State Legislative Director of the United Transportation Union. "New Jersey has some of the most congested highways in the

nation. Our hope is this new law will make the workday for our members a little easier.”

“This is a great piece of legislation that not only provides good service for people who use public transportation but keeps our roads safe,” said Vito Forlenza, Chairman of the Amalgamated Transit Unions. “I commend the legislators involved in putting together this new law.”

More than 400,000 NJ TRANSIT customers travel by bus on an average weekday. The law applies to buses that are re-entering a traffic lane after a stop. Once a motorist has yielded to a bus and both vehicles are traveling along the roadway, a motorist does not have to yield further if a bus signals to change lanes. Violations carry a fine between \$50 and \$200, and a jail term of up to 15 days.

“This is a basic safety issue that we hope will reduce accidents,” said NJ TRANSIT Executive Director George Warrington. “We want to educate our customers about this new initiative and how it affects them not only as passengers, but also as motorists.”

Over the next several months, NJ TRANSIT will raise awareness of the new law by placing posters inside terminals, outside and inside buses, and mailing customers information with their monthly passes.

NJ TRANSIT is the nation's largest statewide public transportation system providing more than 752,600 daily trips on 240 bus routes, three light rail lines and 11 commuter rail lines. It is the third largest transit system in the country with 162 rail stations, 49 light rail stations and more than 17,000 bus stops linking major points in New Jersey, New York and Philadelphia.

From NJ Transit website

www.njtransit.com

[Home](#) > [Rider Guide](#) > [Safety](#) >

Yield to Bus Law



Yield to Buses - Not Only Is It Safe, It's the Law!

Effective August 1, 2004, all vehicles (excluding emergency vehicles) are required to yield the right of way to buses re-entering traffic after dropping off or picking up passengers. The law was enacted to improve safety on the state's roadways.

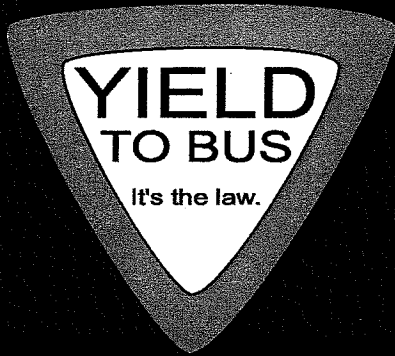
The penalty for violating the right of way law is:

Fine of not less than \$50 or more than \$200

Up to 15 days in jail or both a fine and jail!

Drivers of cars, trucks or motorcycles approaching the rear of any bus attempting to re-enter traffic must yield the right of way to the bus, allowing the bus back into the lane of traffic. Once the bus is back in the normal flow of traffic, through, motorists are not required to yield the right of way to buses changing lanes, and bus operators are required to drive in a safe and responsible manner.

APPENDIX 3 Panel card



Yield to Buses – Not Only Is It Safe, It's the Law!

On August 1, 2004, all vehicles* will be required to yield the right of way to buses re-entering traffic after dropping off or picking up passengers. The law was enacted to improve safety on the state's roadways.

The penalty for violating the bus right of way law is:

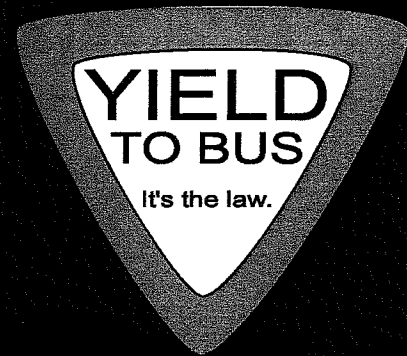
- Fine of not less than \$50 or more than \$200
- Up to 15 days in jail or both a fine and jail!

Drivers of cars, trucks or motorcycles approaching the rear of any bus attempting to re-enter traffic must yield the right of way to the bus, allowing the bus back into the lane of traffic. Once the bus is back in the normal flow of traffic, though, motorists are not required to yield the right of way to buses changing lanes, and bus operators are required to drive in a safe and responsible manner.

* The law does not apply to emergency vehicles.

NJTRANSIT
The Way To Go.

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¡Ceda a los autobuses - no sólo es seguro, es la ley!

A partir del 1 de agosto de 2004, todos los vehículos* se requerirán a ceder el paso de vía a los autobuses que reentran el tráfico después de dejar o recoger pasajeros. La ley se estableció para mejorar la seguridad en las carreteras del estado.

La multa por violar los derechos de vía de los autobuses es:

- Una multa de no menos de \$50 o más de \$200
- ¡Hasta 15 días en la cárcel o una multa y encarcelación!

Los conductores de coches, camiones o motocicletas que se acercan al trasero de cualquier autobús que procura reentrar el tráfico, debe ceder el paso de vía al autobús, permitiendo que el autobús vuelva a entrar al tráfico. Una vez que el autobús regrese al flujo de tráfico normal, motoristas ya no están requeridos a ceder el paso a autobuses cambiando de vía, y conductores de autobuses se requerirán manejar en una manera segura y responsable.

* La ley no aplica a vehículos de emergencia.

Adelante CON
NJTRANSIT
The Way To Go.

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APPENDIX 4

Message in State employee's paychecks

"Yield to Bus—Not Only Is It Safe, It's the Law"

State law requires motorists to yield the right of way to buses re-entering traffic after dropping off or picking up passengers, or be subject to a fine and/or jail. For more information, see www.njtransit.com.

Yield-to-Bus Decal

