

Vote Record

Assembly Committee on Transportation

Date: 12-2-99
 Moved by: Hahn Seconded by: Huebsch
 AB: 590 Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 AJR: _____ SR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. David Brandemuehl Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Michael Huebsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steve Kestell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Joseph Leibham	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jerry Petrowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Townsend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Turner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Leon Young	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. John Steinbrink	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 15 _____ 2 _____

Motion Carried Motion Failed

Priority	Date	# of pages
Fax Note R7673		
Rep Brandemeh		
Fax# 282-3649		
From Julie Clark		
Phone# 266-2239		

Hearing on AB 590 - School Bus Driver Re-Testing
Senate Committee on Insurance, Tourism, Transportation &
Corrections
Wednesday, February 16, 2000

- Most school buses are commercial motor vehicles and fall under the CDL (Commercial Driver's License) law. Most school bus drivers have a Class B or C license with the school bus endorsement.
- In February, 1998, DMV changed to an 8 year driver license issuance cycle. This included renewal of school bus endorsements every 8 years after passing a knowledge & abbreviated road test. The WI School Bus Contractors Association and DOT supports keeping the retesting of school bus drivers under 70 years of age every 4 years and drivers 70 and older every 2 years.
- There are approximately 28,000 licensed school bus drivers in WI.
- We currently contact all school bus drivers every 2 years for an updated medical and vision report; drivers 70 and older file medical and vision reports annually.
- Members of the traffic safety and school bus transportation community believe the longer gap between testing for school bus drivers as a result of the 8 year renewal cycle is a traffic safety concern.
- School bus drivers are required to meet special requirements in many areas because of the additional risk and responsibility that comes with transporting school children, such as the use of flashing lights and stop arms.



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
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CHIEF

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LEGAL FAX: (608) 264-8522

REFERENCE SECTION: (608) 266-0341
REFERENCE FAX: (608) 266-5648

February 1, 2000

MEMORANDUM

To: Representative David Brandemuehl

From: Paul E. Nilsen, Legislative Attorney, (608) 261-6926

Subject: 1999 Assembly Bill 590; relating to qualifications for school bus operators

There is an error in the analysis to 1999 Assembly Bill 590. The analysis incorrectly states that the bill requires physical exams every two years for school bus operators who are 70 or more years of age.

Under current law, any person who is 70 or more years of age and who is authorized to operate school buses is annually required to pass a physical exam [s. 343.12 (3), stats.] and to provide proof of the satisfactory exam to the department of transportation. 1999 Assembly Bill 590 does not change this requirement.



BILL SUMMARY

AB 590: School Bus Driver Endorsements

Date: February 1, 2000

BACKGROUND

Prior to passage of the 1997-99 State Budget, school bus drivers younger than 70 were required to pass a knowledge test and a driving skills test every 4 years in order to renew their endorsements to operate a school bus. Those 70 or older were required to pass the same tests every two years and a physical examination every year.

With passage of the 1997-99 State Budget, the issuance of driver license renewals was extended to 8 years. As a result, school bus drivers, of any age, must now only pass a knowledge and road test every 8 years. The only additional requirement for those 70 or older is that they still must pass an annual physical exam.

Currently, DOT is also required to cancel the entire operator's license of a driver 70 or older if the license is endorsed for the operation of school buses and the person fails to submit proof of passing a physical examination.

SUMMARY OF AB 590

*Passed
15-0
X*

Assembly Bill 590 restores the 4-year cycle of endorsements for school bus drivers younger than 70 and restores the 2-year cycle for school bus drivers 70 or older. In addition, AB 590 eliminates the requirement that the entire operator's license be canceled if a driver 70 or older fails to pass the physical examination necessary to operate a school bus. Instead, just the endorsement will be canceled. AB 590 was introduced at the request of the Wisconsin Department of Transportation and the Wisconsin School Bus Association.

FISCAL EFFECT

A fiscal estimate prepared by the Department of Transportation indicates that the additional DMV road test fees necessary under AB 590 will increase revenues annually by approximately \$11,000.

PROS

1. Members of the traffic safety and school bus transportation community believe the longer gap between testing for school bus drivers, as a result of the 8-year renewal cycle, is a traffic safety concern.
2. School bus drivers are required to meet special requirements in many areas because of the additional risk and responsibility that comes with transporting school children, such as the use of flashing lights and stop arms. Thus, a shorter cycle for renewal of endorsements is appropriate.
3. AB 590 would eliminate the requirement that the DOT cancel the entire operator's license for someone 70 or older who cannot pass the physical exam necessary to drive a school bus. Since other drivers are not required to pass an annual physical exam, it is inappropriate to cancel the entire operator's license

for a school bus driver who fails to pass this exam. Rather, AB 590 would just require the DOT to cancel the endorsement.

CONS

1. None apparent.

SUPPORTERS

Rep. David Brandemuehl, author; Sen. Peggy Rosenzweig, co-author; Sen. Roger Breske; Julie Clark, DOT; and Bob Christian, Wisconsin School Bus Association.

OPPOSITION

No one testified or registered in opposition to AB 590.

HISTORY

Assembly Bill 590 was introduced on November 18, 1999, and referred to the Assembly Committee on Transportation. A public hearing was held on November 18, 1999. On December 2, 1999, the Committee voted 15-0-2 [Reps. Steinbrink and Young absent] to recommend passage of AB 590.

CONTACT: Sheri Krause, Office of Rep. David Brandemuehl

LRB or Bill No./Adm. Rule No.
AB590 - LRB3486/4

Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject
Relating to qualifications for school bus drivers.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Key Assumptions

- There are approximately 28,000 licensed school bus drivers.
- We estimate that 3655 school bus drivers will be impacted annually by AB590 starting in February of 2001.

Conclusion

- 1.) \$28,400 one-time cost for modifications to DMV automated systems
- 2.) \$11,000 ongoing revenue increase beginning in February of 2001 from additional DMV road test fees.
- 3.) There is a DMV workload impact beginning in February of 2001 of less than .5 FTE which will be absorbed by WisDOT.

Basis for Conclusion

- 1.) DMV automated system modifications to identify and notify school bus drivers required to take skills tests and to assure compliance.
 - Modification to mainframe system to provide exam data to LAN system
30 days @ \$622 (\$400 contract programmer rate + \$222 rate for IEF development tool) = \$18,660
 - Modification to DCIS LAN application to use exam data to identify sub-set of drivers who need skills tests.
Creation of automated letter procedure to produce notification for this sub-set.
60 days or 480 hours @ \$20.34 (IS Comprehensive Professional Intermediate salary & fringe) = \$9,763
- 2.) The first school bus drivers issued 8 year licenses will reach the 4 year point of their license cycle in February of 2001. 80% or 2924 of the approximate 3655 school bus drivers required to take skills tests will be served by private 3rd party examiners. BFS service centers will administer 20 % or 731 additional skills tests and annually.
731 (BFS Skills Test Fees) @ \$15 = \$10,965

Long-Range Fiscal Implications

No Additional Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
WisDOT - DMV John Alley 266 0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Jane A. Greshinski for

Date
11/18/99

SCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB590 - LRB3486/4

Amendment No.

Subject Relating to qualifications for school bus drivers.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
\$28,400 one-time cost for modifications to DMV automated systems

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$ 0	\$ -0
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S		11,000	-
TOTAL State Revenues		\$ 11,000	\$ -

NET ANNUALIZED FISCAL IMPACT

STATE

LOCAL

NET CHANGE IN COSTS

\$0

\$0

NET CHANGE IN REVENUES

\$11,000

\$

Agency/Prepared by: (Name & Phone No.) WisDOT - DMV - John Alley 266 0614	Authorized Signature/Telephone No. Roger D. Cross 266-2233 <i>Janell Gushinski for</i>	Date 11/18/99
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1999 - SCHOOL BUS CRASHES
 BY MONTH AND CRASH SEVERITY WITH TOTAL KILLED, TOTAL INJURED
 BY URBAN/RURAL LOCATION

CRASH MONTH	FATAL		INJURY		PROPERTY DAMAGE		TOTAL CRASHES			TOTAL PERSONS KILLED			TOTAL PERSONS INJURED				
	RURAL	TOTAL	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL			
JAN	0	0	16	24	40	41	64	105	57	88	145	0	0	0	31	36	67
FEB	1	1	13	30	43	18	32	50	32	62	94	2	0	2	25	57	82
MAR	0	0	9	26	35	12	45	57	21	71	92	0	0	0	21	61	82
APR	0	0	4	16	20	17	28	45	21	44	65	0	0	0	5	28	33
MAY	0	0	9	19	28	15	31	46	24	50	74	0	0	0	32	36	68
JUN	0	0	2	10	12	4	20	24	6	30	36	0	0	0	12	20	32
JUL	0	0	1	1	2	1	6	7	2	7	9	0	0	0	1	1	2
AUG	1	1	1	5	6	5	14	19	7	19	26	1	0	1	1	5	6
TOTAL	2	2	55	131	186	113	240	353	170	371	541	3	0	3	128	244	372

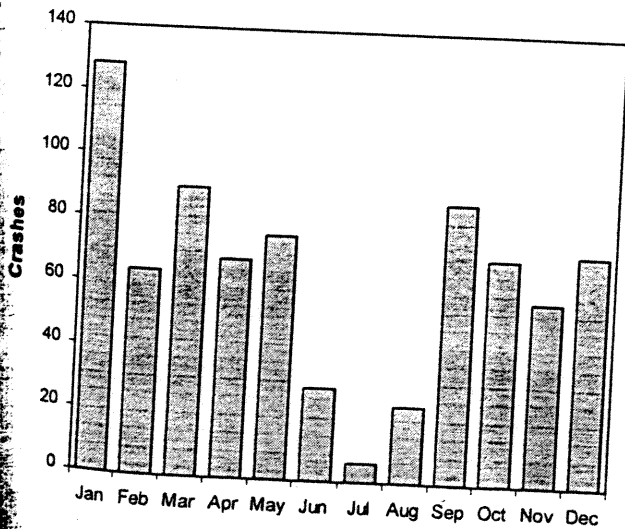
1998 School Bus Crashes by Month and Severity, Total Killed, Total Injured by Urban/Rural Location

Month	Fatal Crashes			Injury Crashes			Property Damage Crashes			Total Crashes			Total Persons Killed			Total Persons Injured		
	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total
Jan	1	0	1	12	26	38	29	60	89	42	86	128	1	0	1	22	50	72
Feb	0	0	0	5	19	24	13	27	40	18	46	64	0	0	0	16	34	50
Mar	0	0	0	6	24	30	12	48	60	18	72	90	0	0	0	14	70	84
Apr	1	0	1	10	18	28	7	32	39	18	50	68	1	0	1	25	52	77
May	0	0	0	7	15	22	18	36	54	25	51	76	0	0	0	14	23	37
Jun	0	0	0	6	9	15	4	10	14	10	19	29	0	0	0	13	11	24
Jul	0	0	0	1	2	3	1	2	3	2	4	6	0	0	0	1	2	3
Aug	0	1	1	6	21	27	13	47	60	19	68	87	0	0	0	17	33	50
Sep	0	0	0	3	21	24	13	31	44	18	52	70	2	0	2	11	43	54
Oct	2	0	2	4	13	17	10	30	40	14	43	57	0	0	0	26	20	46
Nov	0	0	0	12	12	24	14	34	48	26	46	72	0	0	0	15	17	32
Dec	0	0	0															
TOTAL	4	1	5	73	180	253	141	372	513	218	553	771	4	1	5	175	355	530

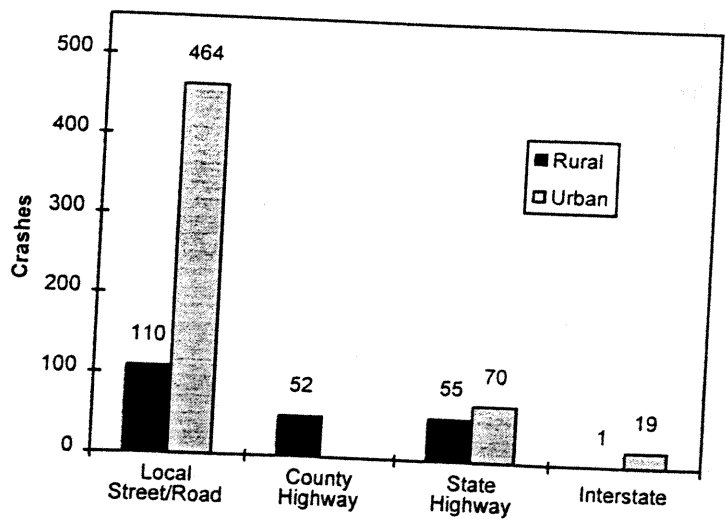
Rural = An unincorporated area or an incorporated area with a population under 5,000.
 Urban = An incorporated area with a population of 5,000 or more.

Note: Total Killed and Total Injured include everyone killed or injured in crashes involving school buses, not just school bus occupants.

1998 School Bus Crashes by Month



1998 School Bus Crashes by Highway Class

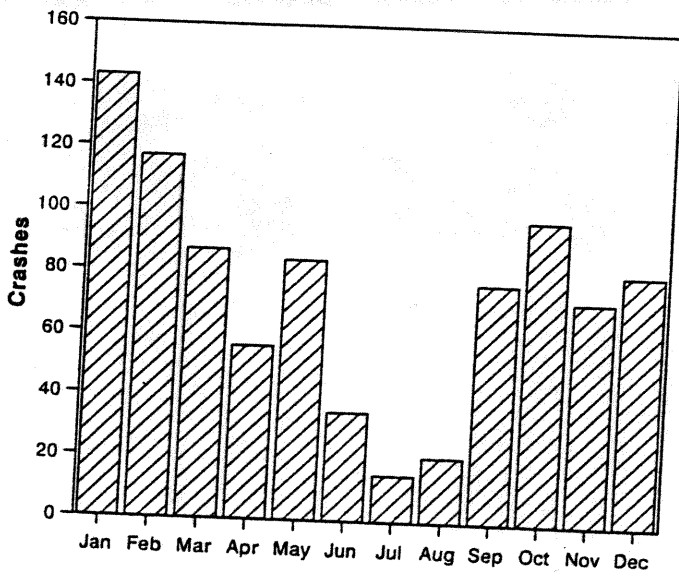


1997 School Bus Crashes by Month and Severity, Total Killed, Total Injured by Urban/Rural Location

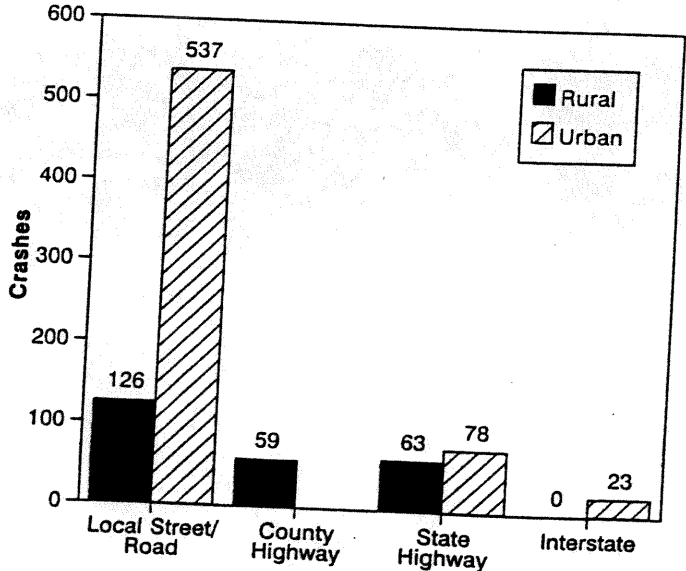
Month	Fatal Crashes			Injury Crashes			Property Damage Crashes			Total Crashes			Total Persons Killed			Total Persons Injured		
	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total
Jan	1	0	1	11	35	46	38	58	96	50	93	143	1	0	1	28	87	115
Feb	0	0	0	6	30	36	26	55	81	32	85	117	0	0	0	12	50	62
Mar	0	0	0	10	20	30	18	39	57	28	59	87	0	0	0	24	59	83
Apr	0	0	0	6	17	23	12	21	33	18	38	56	0	0	0	22	31	53
May	0	0	0	12	29	41	8	35	43	20	64	84	0	0	0	30	62	92
Jun	0	0	0	3	11	14	1	20	21	4	31	35	0	0	0	4	13	17
Jul	0	0	0	3	3	6	4	5	9	7	8	15	0	0	0	8	5	13
Aug	0	0	0	1	8	9	3	9	12	4	17	21	0	0	0	2	14	16
Sep	1	0	1	8	30	38	12	26	38	21	56	77	1	0	1	36	77	113
Oct	0	0	0	4	28	32	14	52	66	18	80	98	0	0	0	4	52	56
Nov	1	0	1	8	20	28	7	36	43	16	56	72	1	0	1	22	37	59
Dec	0	0	0	11	14	25	19	37	56	30	51	81	0	0	0	26	31	57
TOTAL	3	0	3	83	245	328	162	393	555	248	638	886	3	0	3	218	518	736

Rural = An unincorporated area or an incorporated area with a population under 5,000.
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 Note: Total Killed and Total Injured include everyone killed or injured in crashes involving school buses, not just school bus occupants.

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1996 School Bus Crashes by Month and Severity, Total Killed, Total Injured by Urban/Rural Location

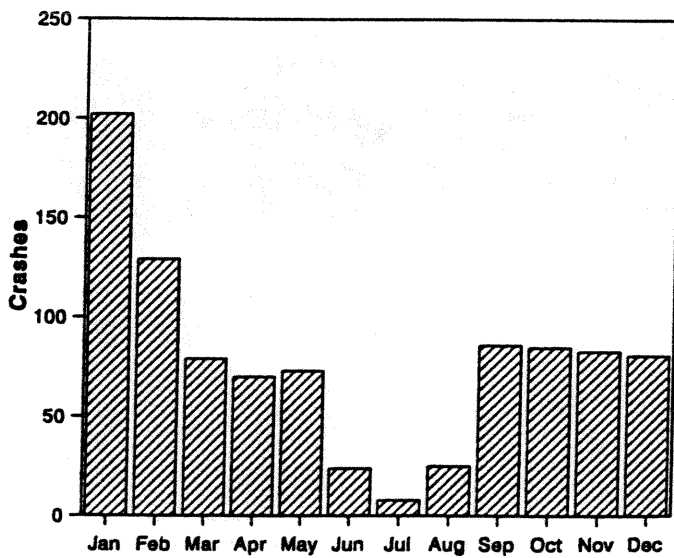
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	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total	Rur	Urb	Total
Jan	0	1	1	22	49	71	50	80	130	72	130	202	0	1	1	47	121	168
Feb	0	0	0	12	34	46	32	51	83	44	85	129	0	0	0	60	56	116
Mar	1	1	2	8	18	26	15	36	51	24	55	79	1	4	5	42	41	83
Apr	0	0	0	7	21	28	13	29	42	20	50	70	0	0	0	9	46	55
May	2	0	2	2	11	13	12	46	58	16	57	73	2	0	2	2	27	29
Jun	0	0	0	2	10	12	3	9	12	5	19	24	0	0	0	7	13	20
Jul	0	0	0	0	2	2	0	6	6	0	8	8	0	0	0	0	3	3
Aug	0	0	0	2	4	6	4	15	19	6	19	25	0	0	0	5	4	9
Sep	1	0	1	10	20	30	13	42	55	24	62	86	5	0	5	26	30	56
Oct	0	0	0	11	16	27	24	34	58	35	50	85	0	0	0	27	41	68
Nov	0	0	0	10	22	32	16	35	51	26	57	83	0	0	0	29	53	82
Dec	0	0	0	6	19	25	23	33	56	29	52	81	0	0	0	12	41	53
TOTAL	4	2	6	92	226	318	205	416	621	301	644	945	8	5	13	266	476	742

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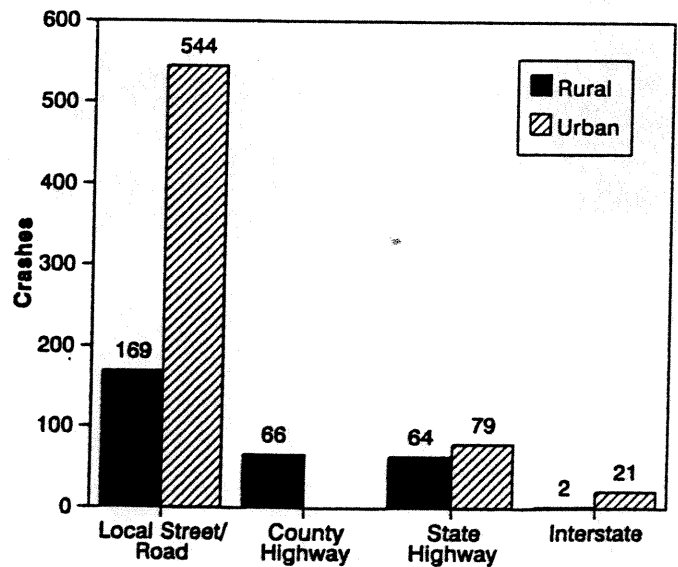
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1996 School Bus Crashes by Highway Class



Hearing on AB 590 - School Bus Driver Retesting
Assembly Transportation Committee
November 18, 1999

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- We currently contact all school bus drivers every 2 years for an updated medical and vision report; drivers 70 and older file medical and vision reports annually.
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- School bus drivers are required to meet special requirements in many areas because of the additional risk and responsibility that comes with transporting school children, such as the use of flashing lights and stop arms.

FISCAL ESTIMATE

DOA-2048 N(R1298)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

Relating to qualifications for school bus drivers.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
 Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Key Assumptions

- There are approximately 28,000 licensed school bus drivers.
- We estimate that 3655 school bus drivers will be impacted annually by AB590 starting in February of 2001.

Conclusion

- 1.) \$28,400 one-time cost for modifications to DMV automated systems
- 2.) \$11,000 ongoing revenue increase beginning in February of 2001 from additional DMV road test fees.
- 3.) There is a DMV workload impact beginning in February of 2001 of less than .5 FTE which will be absorbed by WisDOT.

Basis for Conclusion

- 1.) DMV automated system modifications to identify and notify school bus drivers required to take skills tests and to assure compliance.
 - Modification to mainframe system to provide exam data to LAN system
 30 days @ \$622 (\$400 contract programmer rate + \$222 rate for IEF development tool) = \$18,660
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 Creation of automated letter procedure to produce notification for this sub-set.
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 731 (BFS Skills Test Fees) @ \$15 = \$10,965

Long-Range Fiscal Implications

No Additional Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
 WisDOT - DMV John Alley 266 0614

Authorized Signature/Telephone No.
 Roger D. Cross 266-2233

Date
 11/18/99

Jane A. Goshinski for

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB590 - LRB3486/4

Amendment No.

Subject Relating to qualifications for school bus drivers.

I. **One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**
\$28,400 one-time cost for modifications to DMV automated systems

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$ 0	\$ -0
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S		11,000	-
TOTAL State Revenues		\$ 11,000	\$ -

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$0	\$0
NET CHANGE IN REVENUES	\$11,000	\$

Agency/Prepared by: (Name & Phone No.) WisDOT - DMV - John Alley 266 0614	Authorized Signature/Telephone No. Roger D. Cross 266-2233 <i>Janell Gushinski for</i>	Date 11/18/99
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(Ryba, Spillner, B...)



AB590

Seratti, P...ski, Colon, S...rak, Freese, Kelso, Olsen

DAVID BRANDEMUEHL
State Representative
49th Assembly District

TO: All Legislators

FROM: Rep. David Brandemuehl

DATE: October 21, 1999

RE: Co-sponsorship of LRB 3486/4, relating to qualifications for endorsements authorizing the operation of a school bus.

Latane, Stone, Albers, Pluetsman
Kestell, Musser, Lehman, J, Rosenzweig
Ladwig, Hasonchad, Focsteller
Sukora, Kedzie, Owens

In the 1997-99 state budget, the issuance of driver license renewals was extended to 8 years. This extension included the endorsement necessary to operate a school bus. As a result, school bus drivers now only have to take the knowledge and road tests to renew their endorsements every 8 years, rather than every 4 years as they had in the past. The Wisconsin Department of Transportation and the Wisconsin School Bus Association support retesting every 4 years and have requested this legislation.

This bill will require school bus drivers to be retested every 4 years. It also clarifies that school bus drivers 70 years of age or older must pass a physical exam annually and pass the knowledge and road tests every 2 years.

The analysis is printed below. If you are interested in co-sponsoring LRB 3486/4, please contact my office at 266-1170 by November 5, 1999.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a school bus unless the person possesses an endorsement issued by the department of transportation (DOT) to operate school buses. DOT is required to issue a school bus endorsement to any applicant for the endorsement who is at least 18 years of age but not more than 70 years of age and who meets the stated requirements, including passing a physical examination. A school bus endorsement is valid for the eight-year duration of the person's operator's license. DOT may, but is not required to, issue a school bus endorsement to any person who is more than 70 years of age and who annually takes and passes a physical examination and satisfies the requirements required of younger school bus operators.

This bill requires each school bus operators under 70 years of age to submit to DOT, at least once every four years, proof that the person has passed a knowledge test and a driving skills test of his or her ability to safely operate a school bus. The bill requires school bus operators who are 70 or more years of age to submit proof of passing a knowledge test, driving skills test and physical exam every two years. The bill requires DOT to cancel the school bus endorsement of any person who fails to submit proof that he or she has passed the required tests.

Current law requires DOT to cancel the entire operator's license of a person who is more than 70 years of age, if the license is endorsed for the operation of school buses and the person fails to submit annual proof that he or she has passed a physical examination. This bill requires DOT to cancel only the endorsement, not the entire operator's license.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

Krause, Sheri

From: Clark, Julie
Sent: Thursday, October 14, 1999 4:26 PM
To: Krause, Sheri; Nilsen, Paul
Cc: Guenther, Gary; Schwartz, Karen-DMV
Subject: FW: LRB3486/4 school bus retesting

Sheri/Paul; LRB3486/4 looks fine. Gary Guenther, our school expert, has responded to Paul's questions below....thanks//Julie

-----Original Message-----

From: Guenther, Gary
Sent: Wednesday, October 13, 1999 3:46 PM
To: Clark, Julie
Subject: RE: LRB3486/4 school bus retesting

Julie:

I reviewed this proposal and think that it meets with what we were trying to accomplish. I also shared it with Bob Christian of the WSBA and he felt comfortable with it also.

Regarding Paul's questions; Holders of CDLs (a majority of school bus operators) must get a duplicate license for a change of address. Paul is right that non-cdl's can effect the change on their license, but there are very few school buses that fall in this category.

Secondly, adding the 2 year testing language for 70 and older, clarifies this issue in the statutes because 343.20(1)(c) is rather vague. Also, I didn't know if there would be a conflict on when we could test should the language in 343.12(2m) indicate that all school bus testing would be done at original issuance and at 4 year periods.

Gary

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3486/4dn
PEN:kmg&jlg:mrc

October 8, 1999

Regarding Julie Clark's statement of current law regarding address changes, current law does not require a person to obtain a new license whenever he or she moves from the address shown on the license. See s. 343.22 (2) (b), stats. Do you want to correct this legislative oversight to reflect DOT's (apparent) practice?

I do not understand how this draft affects DOT's authority under s. 343.20 (1) (c), stats. Please clarify DOT's concerns.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

Krause, Sheri

From: Clark, Julie
Sent: Wednesday, September 29, 1999 4:15 PM
To: Nilsen, Paul; Krause, Sheri
Cc: Larson, Beverly; Schwartz, Karen-DMV; Guenther, Gary; Bown, Gerald
Subject: FW: I'm sending you LRB 34886/3 re. school bus retesting

Paul/Sheri. We have reviewed LRB 3486/3 and have the following comments:

- 1) We need to include language that would allow us to continue our practice of requiring skills and knowledge tests for person 70 years of age or older at 2 year intervals. (See Gary Guenther's memo below)
- 2) The changes to Section 6 are not necessary. An address change cannot be made on the DL document. Present law requires a new license be issued. Also a driver cannot hold a DL with an endorsement that is not valid. They must have a document that reflects the current valid classes/endorsements.

Julie:

Paul did not include the language as submitted that would continue our practice of skills and knowledge testing persons 70 years of age or older at 2 year intervals. We currently do this under 343.20(c). (The language there is vague and we want it clarified that this is what is required) **The way that the revision is worded would only address testing at original issuance and at 4 year intervals which in my opinion would conflict. We also require a med report for under 70 year old SB drivers under 343.20(c). I don't see a conflict there.**

His clarification of what 70 year old means in 343.12(2)(a) and 343.12(3) is fine as it is how we have interpreted this anyway and have required 70 year olds and older to submit the annual medical report.

It has been our practice to send a cancellation notice out to the person and inform them that a new license without the endorsement must be issued. Law enforcement would be aware of a cancellation simply because it is their practice to get a current record when stopping an individual. Employers on the notification program would be informed of the bad status and I believe that the person is also required to inform their employer of bad statuses.

I don't think there is a need for any change in 343.43(2) considering that we do not allow alteration.

I discussed the issue of the 2 year testing intervals with the WSBA Board of Directors and they want us to continue. I think that the language clarifying under 70 at 4 year intervals and 70 or more at 2 year intervals needs to be readded to this.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3486/3dn
PEN:kmg:kjf

September 22, 1999

I'm not sure that law enforcement officers, employers or others will know that an endorsement has been "canceled" under the treatment of s. 343.20 (1) (d) unless the license document is physically altered to reflect the cancellation. Do you want to allow DOT to require surrender of the endorsed license? I think current s. 343.35 will not allow that, since only the endorsement is canceled and not the person's operating privilege, as defined in s. 340.01 (40). The voluntary surrender provisions under s. 343.265 will apply.

I amended s. 343.43 (2) to allow "cancelation" of a school bus endorsement by physical alteration of the license document. OK? The treatment of s. 343.43 (2) may not be necessary if DOT requires the surrender of a canceled endorsement and reissues a new (unendorsed) license document.

I amended s. 343.12 (2) (a) and (3) to resolve an ambiguity. I assume that a person who reaches his or her 70th birthday is "more than 70 years of age", since a person who calls himself or herself "70" has already lived for 70 years when he or she "turns" 70. I amended s. 343.12 (2) (a) and (3) to describe persons "70 or more years of age" to clarify that those sections apply to 70-year-olds, and not only to those "more than 70" years old (e.g., 71 or older). This change is consistent with DOT's interpretation under ss. Trans. 104.10 (1) (f) and 112.03 (3) (c), Wis. Adm. Code.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

Krause, Sheri

From: Clark, Julie
Sent: Monday, September 20, 1999 2:08 PM
To: Krause, Sheri
Subject: RE: Transportation Committee

Sheri: When you get the school bus retesting LRB ready for circulation...Please ask Reps. Ryba and Spilner and Sen. Breske to cosponsor....They have expressed an interest in this issue...thanks//Julie

-----Original Message-----

From: Krause, Sheri
Sent: Monday, September 20, 1999 1:30 PM
To: Kreuser, Jim; Townsend, John; Riley, Antonio; Anne Thompson; Barb Gronemus; Bob Turner; Don Hasenohri; Eugene Hahn; Gary Sherman; Heather Schubert; Jeffrey Stone; Jerry Petrowski; John Steinbrink; Joseph Leibham; Julie Lassa; Larry Balow; Leon Young; Michael Garibay; Mike Huebsch; Mike Prentiss; Robert Suls; Scott Suder; Steve Kestell
Cc: Karius, Bob; Buckmaster, Carol; Frazier, Carson; LaRowe, Chris; Wittwer, Jake; Nussbaum, Jody; Clark, Julie; 'Secretary Charles Thompson'; Ford, William; Krieser, Steve
Subject: Transportation Committee

<< File: hearing100799.doc >>

Hard copies will be sent to committee members and authors only. If you have any questions, please call.

*Sheri Krause, Research Assistant
Office of Rep. David Brandemuehl
317 N, State Capitol
(608)266-1170*

Krause, Sheri

From: Clark, Julie
Sent: Thursday, September 09, 1999 1:56 PM
To: Krause, Sheri
Cc: Larson, Beverly; Schwartz, Karen-DMV; Porter, Karen; Bown, Gerald; Guenther, Gary; Kussow, Dave
Subject: FW: Brandenmuhl Proposal

Sheri: Thanks for sending me a copy of LRB 3486/2 relating to retesting of school bus drivers. I have sent them on to several of our DMV staff to review. Please consider the following changes to the draft. I just talked with Bob Christian and he approves of these changes too. We really need to clarify how those drivers under 70 and over 70 will be handled. This does not change any of the requirements they are now under. Thanks//Julie

343.12(2m) The department shall by rule require each person under 70 years of age who holds an endorsement to operate a school bus to provide proof to the department that within the past 4 years, the person has passed the examinations described under sub. (2) (h) and s. 343.16 (3) (b). The department shall by rule require each person 70 years of age and older who holds an endorsement to operate a school bus to provide proof to the department that within the past 2 years, the person has passed the examinations described under sub. (2) (h) and s. 343.16 (3) (b). If the person fails to provide proof required under this subsection, the department shall cancel the person's operator's license as provided under s. 343.20 (1) (d).

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 08/31/1999

To: Representative Brandemuehl

Relating to LRB drafting number: LRB-3486

Topic

School bus operator's endorsement

Subject(s)

Transportation - driver licenses

1. **JACKET** the draft for introduction _____

in the **Senate** ____ or the **Assembly** ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

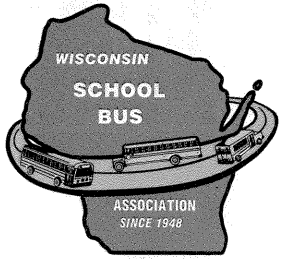
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926



WISCONSIN SCHOOL BUS ASSOCIATION

P.O. Box 168 • Sheboygan, WI 53082-0168 • (920) 457-7008 • Fax (920) 457-5758

Robert W. Christian, Executive Director

*Get it
Quoted*

August 17, 1999

Representative David Brandemuehl
State Capitol
P.O. BOX 8952
Madison, WI 53708

Dear Rep. ~~David~~ Brandemuehl:

The enclosed language was taken out of The Governor's Budget Bill because they thought it didn't have any fiscal cost. I am hoping your committee will sponsor this change in 343.12(2)(h) so that we can test School Bus Drivers every four (4) years instead of every eight (8) years.

I believe it's not in the interests of safety to leave the eight years in. Please let me know if you and the committee will sponsor this change and go forward with this proposal.

Thank you,

RWC
Robert W. Christian
Executive Director

RWC/fk

Enc.

Representative David Brandemuehl
Page 2
August 17, 1999

S 343.12(2)(h) Prior to initial issuance or renewal of the endorsement, takes and passes a special examination prescribed by the department and administered by the department or a 3rd party tester under s. 343.16(1)(b) to determine his or her ability to safely operate a school bus. This special examination may include the examination required under sub.(3)The department may (shall) by rule require any person issued an operator's license with a school bus endorsement that is valid for a period of more than 4 years to take and pass the knowledge test under s.343.16(1) and an abbreviated driving skills test under s. 343.16(3)(b) at 4 year intervals.

This enclosure is part of original letter received from The Wisconsin School Bus Association.

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB590 - LRB3486/4
Amendment No. if Applicable

subject
Relating to qualifications for school bus drivers.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb
Within Agency's Budget Yes No

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Key Assumptions

- There are approximately 28,000 licensed school bus drivers.
- We estimate that 3655 school bus drivers will be impacted annually by AB590 starting in February of 2001.

Conclusion

- 1.) \$28,400 one-time cost for modifications to DMV automated systems
- 2.) \$11,000 ongoing revenue increase beginning in February of 2001 from additional DMV road test fees.
- 3.) There is a DMV workload impact beginning in February of 2001 of less than .5 FTE which will be absorbed by WisDOT.

Basis for Conclusion

1.) DMV automated system modifications to identify and notify school bus drivers required to take skills tests and to assure compliance.

- Modification to mainframe system to provide exam data to LAN system
30 days @ \$622 (\$400 contract programmer rate + \$222 rate for IEF development tool) = \$18,660
- Modification to DCIS LAN application to use exam data to identify sub-set of drivers who need skills tests.
Creation of automated letter procedure to produce notification for this sub-set.
60 days or 480 hours @ \$20.34 (IS Comprehensive Professional Intermediate salary & fringe) = \$9,763

2.) The first school bus drivers issued 8 year licenses will reach the 4 year point of their license cycle in February of 2001. 80% or 2924 of the approximate 3655 school bus drivers required to take skills tests will be served by private 3rd party examiners. BFS service centers will administer 20 % or 731 additional skills tests and annually.
731 (BFS Skills Test Fees) @ \$15 = \$10,965

Long-Range Fiscal Implications
Additional Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
WisDOT - DMV John Alley 266 0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Date
11/18/99

Jane A. Goshinski for

