

also be hermetically sealed. This paragraph shall apply to any HSV put into operation after January 1, 1982.

(b) A HSV may be equipped with a push-out type window for emergency exit. These shall be hinged at the top. These windows shall be identified as an emergency exit with concise operating instructions located within 6 inches of the release mechanism or other location to adequately inform a passenger of the presence of the emergency exit.

(c) A distinctive audible signal, automatically operated shall clearly indicate to the driver the unlatching of an emergency window when the ignition is in the "ON" position. No cutoff shall be installed in the circuit.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.36 Windshield.** The glass in the windshield shall be laminated safety glass identified by the designation ASI. This mark shall be visible and legible. The glass shall be of such quality as to prevent distortion of view in any direction.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.37 Windshield washer.** (1) Every HSV shall be equipped with a windshield washer system that will provide fluid for the wipers to effectively clean the windshield.

(2) The washer system shall be maintained and operational.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.38 Windshield wipers.** Every HSV shall be equipped with 2 windshield wipers (mechanism, arms, blades). The system shall have at least 2 speeds.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

### SUBCHAPTER III SPECIAL EQUIPMENT REQUIREMENTS

**Trans 301.60 General requirements.** (1) Vehicles for transporting handicapped persons shall comply with current Wisconsin statutes and rules except for modifications necessary for the installation of special equipment. Such modifications or exceptions are set forth in this section through Trans 301.66.

(2) Any HSV used for transporting handicapped persons in wheelchairs shall be equipped with a side ramp or a lift located on the right side of the body. The side ramp or lift may not be attached to the exterior of the body, but shall be completely contained and securely fastened within the perimeter of the vehicle body when not in operation. A ramp or a lift utilizing a HSV rear door may not be used to load or discharge any person on a highway as defined by s. 340.01 (22), Stats. Unless otherwise prohibited, however, a ramp or a lift utilizing a HSV rear door may be used to load or discharge a person in an area other than a highway as defined by s. 340.01 (22), Stats. If a HSV equipped with a ramp or a lift using the HSV rear door is used to load or discharge persons only in areas other than a highway as defined by s. 340.01 (22), Stats., and is never used to load or discharge persons on the highway or where otherwise pro-

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hibited, the HSV need not be equipped with a side ramp or lift located on the right side of the body.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82; emerg. am. (2), eff. 6-29-83; am. (2), Register, December, 1983, No. 336, eff. 1-1-84.

**Trans 301.61 Special service opening.** (1) There shall be an enclosed door opening located on the right side of the HSV and far enough to the rear so that any forward mounted door when fully opened will not obstruct or interfere with the normal operation of the regular service door.

(2) A device shall be provided to hold doors in a wide open position of at least 90°.

(3) Door materials and structural strength shall be equivalent to conventional service and emergency doors.

(4) Each door shall have a glass window meeting the requirements of s. Trans 301.35.

(5) The door shall be equipped with a device that will actuate an audible or visual signal located in the driver's compartment when door is not securely closed and latched and may deactivate when door is fully opened. This subsection shall be applicable to vehicles manufactured after January 1, 1982.

(6) Door panel(s) shall enclose the complete opening in the body made necessary by the installation of a side ramp or power lift.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.62 Power lift.** (1) The lifting mechanism shall have a minimum capacity of 700 pounds.

(2) All power lift mechanism(s) shall be enclosed.

(3) Power lift may be mounted to chassis frame.

(4) Lift platform edges shall be designed to prevent wheelchairs or attendant's feet from becoming entangled during raising and lowering process.

(5) Platform floor surface shall be of nonskid material.

(6) Platform shall lock mechanically when in the stored position. A power lift designed to remain in a rigid position with the power off is exempt from having a mechanical lock. The intent of this paragraph is to prevent a lift from having any movement while the vehicle is in motion.

(7) Up and down limits shall be controlled by limit switch or by-pass valve. A lift with gravity lowering capabilities is exempt from having a by-pass valve.

(8) Positioning power lift shall be controlled by switches which give the operator instant and positive control to move, stop, or reverse the lift travel at will.

(9) With the exception of floor molding, no metal screws are to be used in fabrication of platform assembly.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

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**Trans 301.63 Ramps.** A floor ramp shall be covered with nonskid material. A ramp when in the stored position shall be locked by a mechanical device to prevent its movement while the vehicle is in motion.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.64 Stanchions and barriers.** (1) Barriers shall be furnished to provide a restraint for passengers. If the vehicle is a van and has only seats with no area for wheelchairs, it is exempt from having barriers. The most forward seat behind an open area for wheelchair use and the most forward seat behind a power lift or ramp shall be protected by a barrier. Barriers and stanchions shall be padded.

(2) All inside and rear facing surfaces except the platform surface of a lift shall be padded.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.65 Wheelchair fasteners.** (1) Each wheelchair shall be secured to the vehicle before the vehicle moves from the parked position with a fastening device with sufficient strength to:

- (a) Retain the chair in the event the vehicle overturns.
- (b) Prevent the chair from moving.
- (c) Prevent the chair's wheels from leaving the floor in the event of a sudden stop or start.

(2) The device may be either a metal locking unit that secures the wheelchair to the wall or floor or a webbing belt system that accomplishes the same purpose.

(3) There shall be no wheelchair attachment to any door.

(4) If a webbing belt system is used it shall be secured to the vehicle at not less than 2 points with bolts, nuts, and lock washers or self-locking nuts, or with a positive latching mechanism of matching interlocking units which permits the belt portion to be removed and stored. The webbing system shall be free of any tears or damage to the locking mechanism.

(5) A webbing belt used to secure the wheelchair to the body frame shall not be used to secure the passenger to the wheelchair.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.66 Seats and restraints.** (1) Seat frames may be equipped with a device to which belts or restraining harnesses may be attached.

(2) Every occupant shall be secured to the wheelchair while being transported.

(3) Vehicles designed to transport wheelchairs may have aisle facing seats over the wheel housing provided they are equipped with a device to prevent a passenger from sliding off either end. A seat belt will not in itself meet this requirement. The seat shall be permanently mounted and shall not fold up or down.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

SUBCHAPTER IV  
INSPECTION AND ENFORCEMENT STANDARDS

**Trans 301.95 General requirements.** (1) Any item if covered by a standard in this rule shall upon replacement be replaced with an item meeting the original standard. Any modification of a HSV shall be made to conform to federal and state regulations at the time of modification.

(2) A panel truck shall not be used as a HSV. A station wagon having a wood body shall not be used as a HSV.

(3) The enforcement policy of the department of transportation shall take into consideration the age, condition, and equipment of vehicles before granting approval for their continued use. The department of transportation shall prohibit the use of any vehicle as a HSV which is deemed to be unsafe or unfit for such service. In construing and enforcing the provisions of this chapter, the act, omission or failure of any officer, agent, service or other person acting for or employed by the registered owner or the lessee of the vehicle, whoever has control, done within the scope of his employment is deemed to be the act, omission or failure of such registered owner or lessee, except that this sentence shall not apply to violations of ch. 346, Stats.

(4) It is the responsibility of the owner or operator to have the HSV inspected annually. After notification by the owner or operator that vehicles are to be inspected, the department shall attempt to inspect the vehicle(s), contingent on other duties, at the earliest time available. During subsequent inspection periods the department will attempt to perform the inspections without notification; however, the responsibility remains with the owner to have the HSV inspected.

(5) Any person violating s. Trans 301.05(9) shall be prosecuted as set forth in s. 346.97(4)(b), Stats. Violations of any other provision of this rule shall be prosecuted as set forth under s. 346.97(3)(e), Stats.

(6) This rule applies to all HSVs except vehicles owned by volunteers. Human services vehicles formerly in compliance as school buses may continue to meet those requirements, or may convert to meet the requirements of this rule. In the event that the vehicle is converted from a school bus, all identification requirements of a school bus must be removed. Upon conversion, the owner must repaint a vehicle meeting the yellow-black color scheme to some other color by January 1, 1987. The stop arm, school bus sign and alternating flashing red lights must be removed immediately upon conversion. Human services vehicles put into service in Wisconsin after the effective date of this rule shall comply with the requirements in effect at the time they are inspected as a HSV.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.