

CR 94-88

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

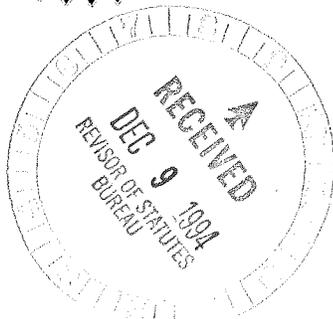
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **school bus inspection criteria and transportation of school children**, was duly approved and adopted by this Department on December 8, 1994.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



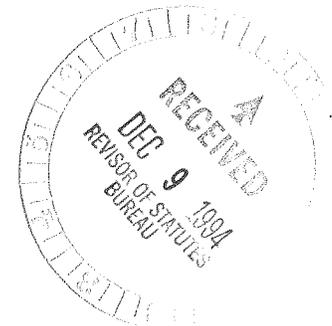
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 8 day of December, 1994.

Charles H. Thompson
CHARLES H. THOMPSON
Secretary



2-1-95

The Wisconsin Department of Transportation adopts an order to repeal TRANS 300.38(5), 300.41(5), 300.42(3) and (4), 300.58(6), 300.60(8), 300.61(11) and 300.88; renumber TRANS 300.02(1), 300.16(9), (11) and (15), 300.42(5), 300.55(1)(b), and 300.66(2) and (3); renumber and amend TRANS 300.16(5) to (8), (10) and (12) to (14), 300.33(3), 300.55(1)(c), 300.66(1), 300.87, 300.89 and 300.91; amend TRANS 300.02(8), 300.10, 300.11(2) and (3), 300.12, 300.15(2)(a), 300.16(2) and (3), 300.18(1) and (2), 300.20(1)(a) to (i) and (2), 300.25(1), 300.26(4), 300.27, 300.29(1), 300.31(1), (6) and (7), 300.32(1) and (2), 300.33(2), 300.34(1), (4)(f) and (6), 300.35(1), (2) and (6), 300.37(1), 300.39(title), (1), (2), (6), (9) and (13), 300.40(1) and (5), and 300.41(1) and (3), 300.42(2), 300.44(1) and (3), 300.46(5), 300.51(1)(a), (c), (d) and (f), 300.52(2), 300.54(1)(intro.), (1)(a)1, (1)(a)1b, (1)(a)2, (1)(a)11 and 12, (1)(c) and (d)1 and 5, (1)(e), (1)(h) to (m), (2), and (4)(c) and (d), 300.55(1)(intro.) and (3), 300.58(1) and (2), 300.59(4)(b) and (5), 300.60(4) and (5), 300.61(7), 300.62(1) and (3), 300.63(2), (6) and (7), 300.64(1), (3)(c) and (6), 300.67(4), 300.69(1)(a), (c)3 and (d)3, (2) and (3), 300.75(6), 300.76(1), (3) and (11), 300.78(3) and 300.86(2); repeal and recreate TRANS 300.35(8) and 300.39(14); and create TRANS 300.02(1), (2m), (4m) and (7m), 300.11(4), 300.13(intro.), 300.16(5), (6), (17), (18) and (20), 300.20(1)(j) and (k), 300.21, 300.22, 300.33(3)(a) to (d), 300.36(4), 300.40(5m), (7) and (8), 300.52(3), 300.55(1)(b), 300.59(6), 300.61(10)(gm) and (j), 300.76(12) and (13), 300.77(6), 300.79, 300.80, 300.81, and 300.87(2) and (3), relating to school bus inspection criteria and transportation of school children.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

STATUTORY AUTHORITY: ss. 110.06(2) and 227.11(2)(a), Stats.
 STATUTE INTERPRETED: s. 110.06(2), Stats.

General Summary of Rule. These rule revisions regarding school bus inspection update, clarify and bring the rule in line with current federal school bus manufacturing standards. The revisions provide specific safety-related standards regarding the design, construction, inspection and operation of school buses, in addition to providing differing standards for vehicles of varying size and configuration. These revisions also apply federal requirements, specifically relating to parts and accessories necessary for safe

operation and motor vehicle safety standards (49 C.F.R. §§ 393 and 571). The Attorney General and the Revisor of Statutes have consented to the incorporation by reference of these federal requirements. None of the revised equipment standards will apply to those school buses which are already owned by school districts or by private operators who contract with school districts.

Fiscal Effect. The Department estimates that there will be no significant fiscal effect on small businesses, local units of government or the Department. Promulgation of this rule will not increase the price of school buses purchased in the future.

Final Regulatory Flexibility Analysis. This rule will have no significant effect on small businesses.

Contact Person and Copies of Rule. The contact person for this rule is Lyle Walheim, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53797-7912, phone (608) 266-0305. Copies of the rule can be obtained upon request, without cost, by writing to Frieda Andreas at the above address, or by calling (608) 266-6936.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 110.06(2) and 227.11(2)(a), Stats., the department of transportation hereby amends a rule interpreting s. 110.06(2), Stats., relating to school bus inspection criteria and transportation of school children.

SECTION 1. Trans 300.02(1) is renumbered 300.02(1m).

SECTION 2. Trans 300.02(1), (2m), (4m) and (7m) are created to read:

Trans 300.02(1) "Attended" means the driver is in the immediate area of the school bus service door or, in the case of a bus equipped with a power lift, the driver is assisting a disabled person to board or exit the bus operating the power lift controls.

(2m) "FMVSS" means federal motor vehicle safety standard.

(4m) "Rebody" means the placing of a new or replacement school bus body on a previously-licensed school bus chassis.

(7m) "Vehicular hazard warning lamps" means utilization of all turn signal lights simultaneously by actuating the vehicular hazard warning switch.

SECTION 3. Trans 300.02(8) is amended to read:

Trans 300.02(8) "Wheelchair" means any specially constructed wheeled device used exclusively for the movement of physically ~~handicapped~~ disabled persons.

SECTION 4. Trans 300.10 is amended to read:

Trans 300.10 MANUFACTURER. It is the vehicle manufacturer and the school bus body manufacturer's responsibility to manufacture a school bus in compliance with all federal and state standards applicable to the manufacturer of school buses. The vehicle manufacturer shall provide copies of all equipment recalls to the administrator, Wisconsin division of state patrol, to assure appropriate repairs are made.

SECTION 5. Trans 300.11(2) and (3) are amended to read:

Trans 300.11(2) General practice through the years has made the school bus body distributor the person who actually delivers the school bus to the purchaser. The initial presale inspection shall be the responsibility of the dealer ~~who sold the chassis~~ or the distributor delivering the school bus to the purchaser.

(3) The dealer or distributor that is required to secure the initial presale inspection shall be clearly indicated on the purchase order.

SECTION 6. Trans 300.11(4) is created to read:

Trans 300.11(4) The dealer shall assure that copies of all equipment recalls are provided to the division of state patrol.

SECTION 7. Trans 300.12 is amended to read:

Trans 300.12 DISTRIBUTOR. The school bus body distributor acts as an agent of the final assembler of the school bus. The distributor is the agent that may arrange for the ~~initial~~ presale inspection of the school bus. If the purchaser wishes to arrange for the ~~initial~~ presale inspection, this shall clearly be stated on the purchase order. The distributor shall furnish a school bus body which meets the applicable state standards that relate to body components. The distributor or owner who furnishes a rebody shall arrange for the initial inspection prior to its use as a school bus.

SECTION 8. Trans 300.13(intro.) is created to read:

Trans 300.13 PURCHASER. (intro.) No person may purchase a school bus previously titled and registered in another state or jurisdiction to be used in Wisconsin school transportation that is in excess of 5 years of age from the original date of manufacture.

SECTION 9. Trans 300.15(2)(a) is amended to read:

Trans 300.15(2)(a) Identification of the bus including make, model, vehicle identification number, and fleet number, ~~if any.~~

SECTION 10. Trans 300.16(2) and (3) are amended to read:

Trans 300.16(2) Articles may not be transported within the bus body if there is or may be interference with the safe transportation of pupils or with the driver or if the articles obstruct the aisle, stepwell, or steps. No animal, firearm, other weapon of any sort, or articles not associated with school activity shall be permitted on a bus without the express, written authorization of the appropriate school administrator. The bus driver shall refuse admittance to any student not presenting the ~~requisite express,~~ required written authorization. The driver shall designate where all such articles shall be carried

in the bus. The provisions of this subsection shall not apply to animals specially trained to aid disabled persons which may be permitted in accord with s. 174.056(1), Stats.

(3) The driver shall not smoke or permit smoking ~~when any minors or students~~ are aboard the school bus.

SECTION 11. Trans 300.16(5) and (6) are renumbered 300.16(7) and (8) and amended to read:

Trans 300.16(7) The driver shall maintain order among passengers being transported and shall promptly report any misconduct to the proper authority. The driver may assign a seating order.

(8) Loading stations or points shall be selected with due regard for traffic and ~~pedestrian~~ pedestrian safety and shall be approved by school authorities. When flashing red warning lights are used as required by s. 346.48, Stats., they shall be actuated continuously at least 100 feet before stopping. The stop arm shall be used in ~~conjunction~~ conjunction with the flashing red warning lights and shall be extended only after the bus comes to a stop. Except where there are special loading zones where the bus is entirely off the traveled portion of the highway, the bus shall be stopped on the traveled portion of the highway in the lane farthest to the right which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder. The flashing red warning lights shall not be extinguished until loading or unloading is completed and persons who must cross the highway are safely across. The stop arm shall be retracted before putting the bus in motion.

SECTION 12. Trans 300.16(5) and (6) are created to read:

Trans 300.16(5) Drivers operating a school bus that meets the definition of a commercial motor vehicle shall comply with ss. 346.63(5) and 346.63(7)(a), Stats.

(6) Drivers operating a school bus not meeting the definition of a commercial motor vehicle shall comply with the following:

(a) A driver shall not consume an intoxicating beverage regardless of its alcoholic content within 4 hours before going on duty, or operating, or having physical control of, a school bus.

(b) A driver shall not consume an intoxicating beverage regardless of its alcoholic content while on duty, or operating, or in physical control of, a school bus.

(c) A driver shall not have in his or her possession any alcoholic beverage regardless of its alcoholic content while on duty or operating a school bus.

(d) A driver shall not operate a school bus while having any measured alcohol concentration above 0.0.

SECTION 13. Trans 300.16(7) and (8) are renumbered 300.16(9) and (10) and amended to read:

Trans 300.16(9) A school bus shall not be stopped on any portion of a highway for the loading or discharge of pupils or other persons unless the bus is painted the yellow and black school bus color combination, is equipped with a stop signal arm and alternating flashing red lights and is ~~identified~~ identified by a school bus sign. This subsection shall not apply to a vehicle which is operating within a municipality and which is not readily identifiable as a school bus. When loading or discharging pupils in a rural area, a vehicle not identifiable as a school bus shall do so off the highway and in such a manner that the pupils do not have to cross the highway.

(10) The driver shall make sure that there is no traffic danger before allowing pupils to cross the highway. Pupils obliged to cross the ~~road~~ highway shall be required to cross from a point at least 10 feet forward of the standing bus only after receiving a

signal from the driver. When discharging passengers the driver shall not proceed until all persons are at a safe distance away from the bus or, if crossing the roadways, they are safely across the street or highway. This subsection applies only where flashing red signals are required by s. 346.48, Stats., or authorized by s. 349.21, Stats.

SECTION 14. Trans 300.16(9) is renumbered 300.16(11).

SECTION 15. Trans 300.16(10) is renumbered 300.16(12) and amended to read:

Trans 300.16(12) Except as provided in sub. ~~(13)~~ (15), the doors of a bus shall be closed securely before starting and shall remain closed while the bus is in motion. Abrupt starts and stops or sudden maneuvers are prohibited, except in an emergency.

SECTION 16. Trans 300.16(11) is renumbered 300.16(13).

SECTION 17. Trans 300.16(12) to (14) are renumbered 300.16(14) to (16) and amended to read:

Trans 300.16(14) The driver shall may not operate a school bus beyond the following limitations:

~~(a) Fifty five miles per hour legal posted speed limits on any town, county, municipal, state or federal highway unless posted at a lower speed or unless conditions requiring a lower speed for safe operation exist.~~

~~(b) Legal posted limits in municipalities.~~

(15) The driver of a school bus required to stop at a railroad crossing by s. 346.45, Stats., shall come to a full stop at a distance of not less than 15 feet nor more than 50 feet before crossing at grade any track of a railroad. The vehicle hazard warning ~~lights~~ lamps shall be used when the bus is slowing for the stop and shall remain on until the bus has resumed normal speed. While the bus is so stopped, the driver shall open the service door and listen and look in both directions along the track for any

approaching train and for signals indicating the approach of a train. After stopping and upon proceeding when it is safe to do so, the driver of the bus shall cross only in the gear of the bus that will make it unnecessary to manually shift gears while traversing the crossing, and the driver shall not shift gears while traversing the crossing. The service door shall remain open until the front wheels of the bus have cleared the first set of tracks for each required stop, but shall be closed before shifting. ~~If the bus is an auto or station wagon not equipped with a service door controlled from the driver's seat, opening of the service door is not required provided the driver lowers the window to the left and provided that the service door glass is kept free of frost and fog.~~

(16) In case of an accident or a breakdown, when practicable, the driver shall remain with the bus and shall may send 2 responsible pupils or other passengers to the nearest place for help unless aid has been secured by means of 2-way communication.

SECTION 18. Trans 300.16(15) is renumbered 300.16(19).

SECTION 19. Trans 300.16(17), (18) and (20) are created to read:

Trans 300.16(17) The use of audio headsets by drivers shall be prohibited.

(18) Drivers shall check the entire interior of the school bus following each trip to assure all passengers are off the bus.

(20) No persons except pupils, school employes, chaperons and other persons approved by the school or department authorities shall be permitted to ride in a school bus subject to this chapter, provided that school board members or an authorized department official conducting an inspection of the vehicle or examination of the driver's ability shall be given such privilege. Transportation of passengers in excess of the number posted in the bus is prohibited.

SECTION 20. Trans 300.18(1) and (2) are amended to read:

Trans 300.18(1) Any bus that is found to be in such condition that it is unsafe for use as a school bus shall have an "out of service" sticker attached to the ~~upper glass on the service door~~ lower right corner of the windshield, and the vehicle shall not be used as a school bus while the sticker is displayed.

(2) A vehicle with an "out of service" sticker displayed shall be reinspected by and shall have the sticker removed by an ~~agent~~ employee of the ~~State Patrol~~ division of state patrol prior to reuse as a school bus.

SECTION 21. Trans 300.20(1)(a) to (i) are amended to read:

Trans 300.20(1)(a) SAE J579c - sealed beam headlamp units for motor vehicles. SAE standard approved January 1940 and last revised by the lighting committee December ~~1974~~ 1984. ~~Editorial change December 1978.~~

(b) SAE J585e - tail lamps (rear position lamps). SAE standard approved March 1918 and last revised by the lighting committee ~~September 1977~~ March 1986.

(c) SAE J586 Feb 84 - stop lamps. SAE standard approved February 1927, and last completely revised by the lighting committee ~~September 1977~~ December 1989.

(d) SAE J587 Oct 81 - license plate lamps. SAE standard approved March 1918 and last revised by the lighting committee ~~January 1977~~ August 1985.

(e) SAE J588f - turn signal lamps. SAE standard approved February 1927 and last revised by the lighting committee ~~November 1978~~ June 1991.

(f) SAE J592 Jan 84 - clearance, side marker, and identification lamps. SAE standard approved January 1937 and last revised by the lighting committee ~~September 1977~~ March 1990.

(g) SAE J593e - backup lamps. SAE standard approved August 1947 and last revised ~~March 1974~~ June 1989.

(h) SAE J887 May 82 - school bus warning lamps. SAE standard approved July 1964 and last completely revised ~~February 1975~~ August 1987.

(i) SAE J914b - side turn signal lamps. SAE recommended practice approved February 1965 and last revised ~~July 1978~~ November 1989.

SECTION 22. Trans 300.20(1)(j) and (k) are created to read:

Trans 300.20(1)(j) SAE J1133 April 84 - school bus stop arm. Report of the lighting committee, approved April 1976, completely revised July 1989.

(k) Federal regulations adopted. The federal regulations in title 49, Code of Federal Regulations, part 393, parts and accessories necessary for safe operation, and part 571, motor vehicle safety standards, adopted by the United States department of transportation and in effect on October 1, 1994 shall be enforced in relation to a school bus under this chapter as though the regulations were set out in full in this chapter.

SECTION 23. Trans 300.20(2) is amended to read:

Trans 300.20(2) Copies of the references are on file in the offices of the division of state patrol, the secretary of state, and the revisor of statutes or may be purchased from the Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale, PA, 15096. The standards are noted in the SAE handbook, ~~1984~~ 1992 edition. Any standard or recommended practice shall be treated as an approved standard and shall not be advisory in nature.

SECTION 24. Trans 300.21 and 300.22 are created to read:

Trans 300.21 REBODY REQUIREMENTS. (1) A school bus may be upgraded by the installation of a new body on an older chassis. This product will be known as a rebody school bus.

(2) A chassis provided for a rebody shall be currently titled and licensed as a school bus in Wisconsin.

(3) Proof shall be presented to the school bus body distributor that all chassis defects from the previous inspection have been corrected.

(4) The following items shall have been replaced with new or rebuilt parts within 12 months prior to the time of rebody:

(a) All brake lines replaced with steel or stainless steel lines and all brake hoses replaced.

(b) Hydrovac and related lines.

(c) Vacuum tanks.

(d) Shock absorbers.

(e) If air equipped, all tanks, lines, diaphragms, and valves.

(5) Any chassis 5 years old or less that has the items in sub. (4) may be waived from replacement provided the school bus body distributor is satisfied it is in like-new condition.

(6) The replacement body shall meet all FMVSS requirements applicable at the time the body was manufactured.

(7) All rebody school buses shall be inspected by the division of state patrol before operation as a school bus. This inspection shall be the same inspection as a presale inspection.

Trans 300.22 CHARTER OPERATIONS. A school bus may be used temporarily as a motor bus for transportation purposes if the following requirements are met:

(1) The registration requirements as provided in s. 341.26(7), Stats.

(2) The lettering as prescribed by s. 347.44(1)(c), Stats., is covered or removed. This may be accomplished by substituting the word "charter" for "school." This subsection shall not apply when transporting children for any purpose under s. 346.48(2)(c), Stats.

SECTION 25. Trans 300.25(1) is amended to read:

Trans 300.25(1) Every school bus of more than 10,000 pounds GVWR, or of 10,000 pounds GVWR or less manufactured in 2 stages, shall have a center aisle with a minimum clearance of 12 inches wide. The center aisle shall be the open area which pupils entering the service door utilize to gain access to their seats. The center aisle shall extend from the ~~drivers~~ driver's compartment to the emergency exit at the rear of the bus. The school bus that has a side emergency door shall, in addition, have a 12-inch wide aisle from the center aisle to the side emergency door. The intent of this requirement is to provide a 12-inch wide, unrestricted aisle to any emergency door.

SECTION 26. Trans 300.26(4) is amended to read:

Trans 300.26(4) A school bus of 10,000 pounds or less GVWR shall be equipped with an alternator or generator of at least 60 ampere rating. ~~If this vehicle~~ a school bus is equipped with a power lift, it shall be equipped with a an 80 ampere or more rated alternator or generator.

SECTION 27. Trans 300.27 is amended to read:

Trans 300.27 BARRIERS. (1) Every school bus of more than 10,000 pounds GVWR shall be equipped with a barrier forward of the foremost right and left front seats that complies with FMVSS 222, school bus seating and crash protection.

(2) A school bus of 10,000 pounds GVWR or less manufactured in 2 stages shall be equipped with a barrier or a padded stanchion forward of the foremost right and left

front seats. The ~~stanchion barrier~~ shall extend from the wall to the aisle. If a stanchion is utilized, the area immediately in front of the foremost seat shall be protected with a padded panel extending from no more than 4 inches above the floor to the crossbar.
The stanchion bars shall be padded.

(3) If the bus meets any federal requirements relating to the use of seat belts, the bus shall, in addition, be equipped with barriers or stanchions as indicated in this section.

SECTION 28. Trans 300.29(1) is amended to read:

Trans 300.29 BATTERY CARRIER AND CONNECTIONS. (1) All batteries shall be securely attached in a manner to prevent dislocation in the event of an accident. The battery may be mounted in the engine compartment or, when mounted outside of the engine compartment, it shall be contained in a closed, drained, weather-tight and vented compartment which shall retain the battery in the event of upset or roll-over of the bus. If the battery is mounted in the body skirt, the battery compartment door or cover shall be secured by a latch. The battery shall not be located in the passenger compartment.

SECTION 29. Trans 300.31(1), (6) and (7) are amended to read:

Trans 300.31(1) Every school bus shall meet federal brake standards under 49 CFR ss. 393.40 to 393.52, 396.17, and applicable standards under 49 CFR ss. 571.105 and 571.121, in effect at the time of manufacture. Each brake system including the parking brake shall be maintained in good working order. The brake system shall be ~~free~~ free of any leaks. The lines and hoses shall not be chafed, flattened or restricted in anyway.

(6) The interior of the brake drums, ~~and the brake linings,~~ brake discs, and pads shall ~~not~~ be free of cracks and contaminated contamination from oil or grease.

(7) The brake systems shall be properly adjusted to provide maximum braking effort in accordance with 49 CFR s. 396.17 (appendix G).

SECTION 30. Trans 300.32(1) and (2) are amended to read:

Trans 300.32 BUMPERS. (1) The front bumper of buses of more than 10,000 pounds GVWR shall have not less than an 8-inch face and shall extend between the frame rails as a minimum. The bumper shall be of sufficient strength and be positioned to permit pushing a vehicle of similar weight without distortion to the bumper, chassis, or body.

(2) The rear bumper of buses of more than 10,000 pounds GVWR shall have not less than an 8-inch face and shall wrap around the rear corners of the body to a point at least 12 inches forward. The bumper shall be of sufficient ~~strength~~ strength and shall be positioned to permit the bus to be pushed without distortion to either the bumper or the bus body. There shall be no more than ½ inch space between the bumper and the body. Protective material may be utilized to ~~full~~ fill all or part of the required ½ inch space.

SECTION 31. Trans 300.33(2) is amended to read:

Trans 300.33(2) There shall be displayed on the inside of the bus directly over the windshield on the right side, a sign indicating the maximum pupil passenger capacity. The size of the letters and numerals shall be large enough to permit them to be read by passengers. Transportation of passengers in excess of the number designated on the sign or of the actual seat measurement is prohibited. ~~Buses with a seating capacity of 40 or less are exempt from the requirements of this subsection.~~

SECTION 32. Trans 300.33(3) is renumbered 300.33(3)(intro.) and amended to read:

(3)(intro.) The total available seating capacity per seat shall determine the capacity of the bus. ~~If a bus has seating that can temporarily be folded down without the use of special tools, such seating shall be counted in determining the total passenger carrying capacity.~~ Fold down or fold up seats or reclining seats shall not be permitted except in ~~station wagons or suburban type vehicles.~~ that at side emergency door locations, a "flip-up seat" may be used. The "flip up seat" shall conform to the following requirements:

SECTION 33. Trans 300.33(3)(a) to (d) are created to read:

Trans 300.33(3)(a) The "flip-up seat" shall be designed and constructed to inhibit passenger limbs from becoming lodged between the seat cushion and seat back.

(b) The working mechanism under the seat shall be covered to eliminate any tripping hazard.

(c) The bottom of the "flip-up seat" shall be covered with sheet metal or other material of equal strength and durability and any sharp edges padded to prevent injury or snagging of clothing.

(d) The seat shall be designed and constructed to rise to a vertical position automatically when not occupied.

SECTION 34. Trans 300.34(1), (4)(f) and (6) are amended to read:

Trans 300.34 COLOR. (1) ~~Except as provided in s. 347.44(2), Stats., All school buses having a passenger carrying capacity of 7 or more including the driver shall be painted national school bus glossy yellow with the exception of the trim, grill, and the bumpers. Grills may be bright metal but when any grill is painted it shall be painted yellow chrome, black, yellow, silver, or gray. Grills of plastic or fiberglass construction impregnated with a black, gray or silver color are not required to be painted yellow.~~

(4)(f) Lamp flanges, and housings, and an area around the 7-inch tail lamp or combination stop and turn lamps not to exceed 3 inches.

(6) ~~Retroflective~~ Noncontrasting reflective material is permitted on the to include, but not limited to, rub rails, snow rails, bumpers, as school bus "school bus" lettering and the owners owner's identification as required in s. Trans 300.61(6) or permitted in s. Trans 300.61(7). Front or rear bumper, or both, may be marked diagonally 45 degrees down to centerline of pavement with 2-inch wide strips of noncontrasting reflective material.

SECTION 35. Trans 300.35(1), (2) and (6) are amended to read:

Trans 300.35 CONSTRUCTION. (1) The construction shall be of prime commercial quality steel or other metal except for the grill, hood, or fenders and shall comply with FMVSS 220, school bus rollover protection. School buses with a GVWR of 10,000 lbs. or more shall comply with FMVSS 221, school bus body joint strength.

(2) The construction shall provide a reasonably dustproof, and weather tight and fume-proof unit. Openings between the chassis and passenger compartment shall be sealed to prevent fumes or exhaust gas from entering the bus body.

(6) Annually between December 1 and December 15, each school bus manufacturer shall certify to the department that all school buses manufactured for sale in Wisconsin in the following calendar year will comply with this section. The certification shall be filed in the division of state patrol. The certification may be addressed to the administrator, division of state patrol, P.O. Box 7912, Madison, WI 53707-7912.

SECTION 36. Trans 300.35(8) is repealed and recreated to read:

Trans 300.35(8) The owner of any vehicle previously marked, registered, or titled in another jurisdiction as a school bus shall, prior to using the vehicle for any pupil

transportation in Wisconsin, submit the vehicle for department inspection and approval as provided by s. Trans 300.13(3). In addition, the owner shall provide proof satisfactory to the division of state patrol that the vehicle is constructed in compliance with this section.

SECTION 37. Trans 300.36(4) is created to read:

Trans 300.36(4) The defrosting system shall conform to SAE standards J391 and J382.

SECTION 38. Trans 300.37(1) is amended to read:

Trans 300.37 DRIVE SHAFT. (1) Each segment of the drive shaft more than 18 inches long shall be equipped with a suitable guard to prevent an accident or injury in the event of its fracture or disconnection. This section does not apply to ~~automobiles, station wagons, or to~~ vehicles of 10,000 pounds GVWR or less manufactured in a single stage.

SECTION 39. Trans 300.38(5) is repealed.

SECTION 40. Trans 300.39(title), (1), (2), (6), (9) and (13) are amended to read:

TRANS 300.39 (title) EMERGENCY EXITS. (1) Each school bus shall have an emergency exit exits that comply with 49 CFR s. 571.217 and FMVSS 217, bus window retention and release, and the following requirements. ~~The exit shall be an emergency door located either in the back or on the left side of the bus.~~ If a left side emergency door is utilized, there shall also be an emergency exit window in accordance with sub. (8), located in the back of the bus. A window by itself does not meet this requirement for ~~an~~ an emergency exit.

(2) ~~Every~~ Required emergency exit ~~exits~~ shall be designed to be opened from both the inside and the outside of the bus.

(6) The emergency ~~door~~ doors shall be equipped with a slide bar, cam-operated latch which shall have a minimum stroke of one inch. The latch shall be equipped with an electric plunger-type switch connected with a distinctive signal audible to the driver, ~~which~~ shall be automatically operated, ~~which~~ shall clearly indicate the unlatching of the emergency door and ~~which~~ may not have a cutoff switch installed in the circuit. The switch and its activating plunger shall be enclosed in a case, which will prevent tampering, and wires leading from the switch shall be concealed in the body. The switch shall be so installed that the plunger contacts the farthest edge of the slide bar in such a manner that any movement of the slide bar will immediately close the circuit and activate the signal. The door latch shall be equipped with an interior handle which shall be capable of quick release but shall be protected against accidental release. The handle shall lift up to ~~release~~ release the latch. The outside handle shall be such as to minimize hitching and shall be ~~a nondetachable device~~ securely attached.

(9) The inside of each emergency window shall have the designation "Emergency Exit". An emergency door shall be identified with either the words "Emergency Exit" or "Emergency Door" on the inside at the top of, or above the door. Concise operating instructions shall be located within 6 inches of the release mechanism. When a release mechanism is not located within an occupant space of an adjacent seat, a label that indicates the location of the nearest mechanism shall be placed within that occupant space. The outside of the emergency door shall be clearly marked "Emergency Door" or "Emergency Exit" in letters 2 inches high at the top of, or above the door or immediately below the upper glass. An arrow at least 6 inches long and $\frac{3}{4}$ inch in width

indicating the direction the release mechanism should be turned to open the door shall be painted in black on the yellow background. The outside of the emergency window shall be labeled "Emergency Exit" in letters at least 2 inches high, directly above the window. There shall not be any labeling on the glazing indicating an emergency exit, ~~or~~ emergency door or operating instructions.

(13) Buses of 10,000 pounds GVWR or less manufactured in 2 stages shall provide emergency exits as required for larger vehicles.

SECTION 41. Trans 300.39(14) is repealed and recreated to read:

Trans 300.39(14) In addition to side and rear emergency exits, doors, or windows, one or more roof hatches may be installed provided they meet all requirements specified in FMVSS 217. In addition to the audible warning required on emergency doors by FMVSS 217, additional emergency exits shall be likewise protected as indicated in s: Trans 300.39(10).

SECTION 42. Trans 300.40(1) and (5) are amended to read:

TRANS 300.40 EXHAUST SYSTEM. (1) The exhaust system which includes the exhaust manifolds, joining gaskets, piping leading from the exhaust manifold, muffler and tail pipe shall not enter the bus body at any location. The exhaust system pipes shall be of nonflexible steel except that those buses which utilize a diesel engine may be equipped with a flexible pipe of not more than 18 inches long between the engine and the first exhaust pipe hanger. Stainless steel bellows assemblies are allowed.

(5) Every exhaust system exit shall extend to, but not over 4 one inch beyond the body limits of the bus. The exhaust shall be directed to prevent an accumulation of exhaust gases underneath the bus.

SECTION 43. Trans 300.40(5m), (7) and (8) are created to read:

Trans 300.40(5m) Buses equipped with diesel engines may be equipped with a turn-down exhaust pipe. The turn-down exhaust pipe shall not exceed 6 inches forward of the rearmost part of the bus.

(7) All emission control systems, components and parts shall be maintained in accordance with manufacturer's specifications.

(8) School buses operated in interstate commerce shall comply with 49 CFR s. 393.83, exhaust system location.

SECTION 44. Trans 300.41(1) and (3) are amended to read:

TRANS 300.41 FIRE EXTINGUISHER. (1) Each bus shall be equipped with a fire extinguisher mounted in full view in the driver's compartment or mounted inside a compartment in the driver's area if the compartment is in plain view and is labeled "Fire Extinguisher" in red letters to indicate its location.

(3) Any fire extinguisher purchased after July 1, 1977, or utilized on a bus that was manufactured after January 1, 1978, shall utilize dry powder or Halon 1211. The fire extinguisher shall be 10 BC rating or a combination of 2 extinguishers with a total of at least 10 BC rating. Any bus manufactured after January 1, 1984, shall use only a single extinguisher.

SECTION 45. Trans 300.41(5) is repealed.

SECTION 46. Trans 300.42(2) is amended to read:

Trans 300.42(2) School buses ~~with a seating capacity of more than 10 persons~~ shall carry a 16 unit kit or larger containing at least the following items:

Adhesive bandage, 1-inch	2 packets
Bandage compress, 2-inch	2 packets
Bandage compress, 4-inch	4 packets

Gauze bandage, 4-inch	2 packets
Gauze compress, 3-inch x 3-inch	2 packets
Gauze compress, 24-inch x 24-inch minimum	1 packet
Triangular bandage, 40-inch	2 packets
Wire splint	1 packet

SECTION 47. Trans 300.42(3) and (4) are repealed.

SECTION 48. Trans 300.42(5) is renumbered 300.42(3).

SECTION 49. Trans 300.44(1) and (3) are amended to read:

Trans 300.44 FLOOR COVERING. (1) The floor in the underseat, driver's compartment, step-well and the toeboard areas, including the tops of the wheel housings, shall be covered with a fire-resistant material.

(3) Buses of more than 10,000 pounds GVWR shall have floor covering on the total floor area and in the aisle, step-well and entrance that shall be of ~~non-skid~~ non-skid material, ~~either~~ when either wet or dry, and that shall be of a rib type. The covering shall not be cracked and shall be securely bonded or fastened to the floor. All seams shall be sealed.

SECTION 50. Trans 300.46(5) is amended to read:

Trans 300.46(5) The fuel tank systems and tanks shall meet ~~any national~~ FMVSS 301, fuel system integrity, and all other federal and state standards and regulations applicable for the type of fuel used at the time of manufacture.

SECTION 51. Trans 300.51(1)(a), (c), (d) and (f) are amended to read:

Trans 300.51(1)(a) Air pressure or vacuum, where air or vacuum brakes are used with low energy supply warning ~~system~~ systems.

(c) Fuel gauge.

(d) ~~Odometer-speedometer~~ Odometer and speedometer.

(f) ~~Water~~ Coolant temperature.

SECTION 52. Trans 300.52(2) is amended to read:

Trans 300.52(2) Projections from the ceiling shall not be allowed in the entrance way or aisle. All speakers and accessory lighting devices shall be flush mounted except in the driver's compartment.

SECTION 53. Trans 300.52(3) is created to read:

Trans 300.52(3) A convex mirror may be mounted on the inside rear of the school bus.

SECTION 54. Trans 300.54(1)(intro.), (1)(a)1, (1)(a)1b, (1)(a)2, (1)(a)11 and 12, (1)(c), (1)(d)1 and 5, (1)(e), (1)(h) to (m), (2), and (4)(c) and (d) are amended to read:

Trans 300.54 LIGHTS, LAMPS, AND REFLECTORS. (1)(intro.) The following lights, lamps, and reflectors are required on a school bus painted ~~the yellow and black color combination~~ in accordance with s. 347.44(1), Stats. Each lamp shall be operational and meet the applicable SAE specifications as provided in this section.

(1)(a)1. The bus shall be equipped with 2 red warning lamps at the rear of the bus and 2 red warning lamps at the front of the bus, which shall be controlled by a manually actuated switch and shall flash alternately at rate of 60 to 120 cycles per minute. A brake or door operated switch shall not be permitted. The "on" period shall be long enough to permit bulb filament to come up to a full brightness.

(1)(a)1b. The additional rear facing lights may be separate lamps mounted within 12 inches above or below the directional turn signals or may be incorporated in an existing lamp. Any incorporation with an existing unit shall not interfere with or override

the existing unit's function. If the optional lighting system utilizes the rear directional signals, it shall be so designed that if both the directional signal lamp and the flashing red lights are activated during the same period of time, the flashing warning signals shall revert to only the 2 required warning signals until such time as the directional signal lamp is deactivated. The optional system shall not be incorporated with the stop signal lamp.

(1)(a)2. The red warning lamps shall be of seal beam construction or other ~~improved~~ approved type such as strobe, not less than 5 inches in diameter and visible from a distance of at least 500 feet along the axis of the vehicle in bright sunlight.

(1)(a)11. Lamps shall meet the requirements of SAE ~~J887a~~ J887.

(1)(a)12. ~~School buses~~ Vehicles painted other than glossy yellow are prohibited from having the alternating red flashing lights mounted on the vehicle except as otherwise provided by statute.

(1)(c) There shall be 2 red clearance lamps on the rear and 2 amber clearance lamps on the front, mounted as high and wide as practicable to indicate ~~it's~~ the vehicle's extreme width. Buses less than 80 inches wide are exempt from this paragraph.

(1)(d)1. There shall be at or near the front, facing forward, one amber turn signal light on each side of the vertical centerline mounted at the same height, as wide as practicable. The bus may be equipped with signals mounted in the body. If not equipped with body mounted front turn signals, double faced signals shall be installed either on the fender or hood and ~~shall not extend beyond the outer edge of the fender~~ but shall be as wide as practicable. Mounting shall not be higher than the bottom of the windshield or lower than the headlamps. This paragraph does not apply to buses of 10,000 pounds GVWR or less provided the bus meets the requirements of s. 347.15, Stats.

(1)(d)5. An auxiliary side mounted signal shall be installed on the sides of the body at approximately seat level, rub rail height, just to the rear of the service door on the right side and approximately opposite the driver's seat on the left side. These shall operate in conjunction with the turn signals. This subdivision applies to school buses of 30 feet or more in length. These lamps shall comply with SAE ~~J914a~~ J914b.

(1)(e) Each bus shall be equipped with a ~~four-way~~ 4-way hazard warning operating unit which shall operate independently of the ignition or equivalent switch and when activated shall cause the turn signal lamps to flash simultaneously.

(h) Each bus, 80 or more inches wide, shall be equipped with 3 amber identification lamps to the front and 3 red identification lamps to the rear with lamp centers no less than 6 inches nor more than 12 inches apart. No part of the front lamp or mountings shall be below the top of the bus windshield.

(i) Each bus, 30 feet or more in length, shall be equipped with intermediate side marker lamps meeting SAE ~~J592e~~ J592f mounted no less than 15 inches above the road surface and at or near mid-point between the front and rear side marker lamps.

(j) Each bus shall have a license plate lamp to illuminate the rear license plate. The lamp shall meet the standards of SAE ~~J587e~~ J587.

(k) Each bus shall be equipped with side marker lights. One amber lamp shall be located on the side as far forward as possible and one red lamp shall be located as far rearward as practicable. The lamps shall conform to SAE ~~J592e~~ J592.

(l) There shall be 2 red stop lamps meeting the requirements of SAE ~~J586e~~ J586 mounted on the rear, one on each side of the vertical centerline at the same height and as far apart as practicable. ~~The stop lamps shall be a separate unit from the tail lamp.~~

Buses of more than 10,000 pounds GVWR shall be equipped with lamps at least 7 ~~inch~~ inches in diameter. The stop lamps shall activate upon application of the service brakes.

(m) There shall be 2 red tail lamps meeting the requirements of SAE J585d J585e mounted on the rear, one on each side of the vertical centerline at the same height and as far apart as practicable. The tail lamps shall activate in conjunction with the headlamps. Two additional tail lamps may be utilized and incorporated in the stop lamp described in paragraph (1).

(2) ~~Retroflective~~ Noncontrasting reflective tape or sheeting may be used on a school bus as an additional warning device. ~~It may cover the rub and snow rails, rear bumper, and the words "School Bus" on the rear.~~

(4)(c) The electronic power supply circuit shall provide a minimum of 10 joules to the strobe tube. The flash shall be so designed that there is a single or double flash or pulsing of the flash tube. ~~The effect will produce an apparent double flash with an interval before another double flash. The A double flash unit may have different intensities with the first flash having the highest intensity. ~~A singular or steady flash, even though within the specified flash rate, does not meet the requirements of this paragraph.~~~~

(d) The strobe light shall be permanently mounted on the centerline of the bus roof not less than 3 feet from the front or rear of the bus. A strobe unit may not extend more than ~~6-1/2~~ 8 inches above the roof.

SECTION 55. Trans 300.55(1)(intro.) is amended to read:

Trans 300.55 MIRRORS. (1)(intro.) Buses School bus mirrors shall comply with the requirements in 49 CFR s. 571.111 and FMVSS 111. In addition, buses of more than 10,000 pounds GVWR shall comply with the following:

SECTION 56. Trans 300.55(1)(b) is renumbered 300.55(1)(c).

SECTION 57. Trans 300.55(1)(b) is created to read:

Trans 300.55(1)(b) An optional convex mirror may be mounted on the inside rear of the school bus.

SECTION 58. Trans 300.55(1)(c) is renumbered 300.55(1)(d) and amended to read:

Trans 300.55(1)(d) There shall be ~~a separate~~ an adjustable convex mirror or equivalent "banana type mirror" mounted on the right side to provide an additional close-in field of vision from the ~~service door~~ front of the bus rearward. This mirror ~~may be mounted on the bracket containing the mirror required in par. (b) or~~ may be mounted on the bracket required for the cross view mirror. The mirror required in this paragraph shall be independently adjustable. It shall have at least a ~~5~~ 7 inch diameter face. A ~~mirror affixed to the face of a mirror described in par. (b) does not meet the requirements of this paragraph.~~

SECTION 59. Trans 300.55(3) is amended to read:

Trans 300.55(3) All buses ~~except automobiles and station wagons~~ shall be equipped with ~~at least one~~ 2 7-inch diameter convex mirror ~~mirrors or an equivalent "banana type mirror" which shall be mounted on the right and left sides~~ in such a manner that the driver may observe a reflection of the road from beneath the front bumper forward to a point where direct observation is possible through each mirror.

SECTION 60. Trans 300.58(1) and (2) are amended to read:

Trans 300.58 RUB RAILS. (1) Every bus shall contain a rub rail located at ~~approximately seat~~ cushion level. Except at the emergency door, ~~or~~ rear compartment

or special service door, the seat cushion level rub rail shall extend from the rear side of the service door completely around the bus body, to a point of curvature near the front of the body on the left side. On a bus of 10,000 pounds GVWR or less, the seat cushion level rub rail need not is not required to extend around the rear corners of the bus and may terminate at the radii of the right and left rear corners.

(2) There shall be one floor line rub rail located between the floor line and 9 inches above the floor line. This rub rail shall be located in an area so that the center of the rub rail is located at or between the following points:

(a) No more than 7 inches above the top of the steel floor, or

(b) No more than 5 inches below the top of the steel floor. The floor line rub rail shall extend over the same longitudinal distance as the upper seat level rub rail, except where it meets the wheel housing, fuel filler caps, fuel fill doors, side marker lights and may terminate at the radii of the right and left rear corners.

SECTION 61. Trans 300.58(6) is repealed.

SECTION 62. Trans 300.59(4)(b) and (5) are amended to read:

Trans 300.59(4)(b) The seat back of the rearmost seat shall be of the same dimension as the seat immediately forward. Failure to comply with this standard will result in the loss of one seating position, or 2 seating positions if this ~~situations~~ situation occurs in both rows, when determining the capacity of the bus. This requirement shall apply only to school buses of more than 10,000 pounds GVWR, manufactured after January 1, 1984.

(5) Fold down, fold up or reclining seats or seat backs ~~will~~ shall not be permitted in a school bus ~~except in a station wagon or suburban type vehicle. Rear facing or~~

~~center facing seats in a station wagon are not permitted~~ as allowed in s. Trans 300.33(3).

SECTION 63. Trans 300.59(6) is created to read:

Trans 300.59(6) A child restraint seat may be installed in place of a standard seat. The replacement seat shall meet all of the requirements in this section, except that the seat back may exceed the seat height of the remaining bus seats by not more than 4 inches.

SECTION 64. Trans 300.60(4) and (5) are amended to read:

Trans 300.60(4) The upper and lower glass panels of the service door shall be of safety glass. The bottom of the lower glass panel shall not be more than 35 inches from the ground when the bus is unloaded. The top of the upper glass panel shall not be more than 6 inches from the top of door. The upper glass panel must be ~~hermetically sealed~~ of insulated glass.

(5) Any lock used in conjunction with the service door must be constructed to insure that the ~~lock~~ door is not in the locked position while transporting passengers.

SECTION 65. Trans 300.60(8) is repealed.

SECTION 66. Trans 300.61(7) is amended to read:

Trans 300.61(7) The name of the school or school bus firm may appear on the sides of the bus between the seat line rub rail and the bottom window line in contrasting yellow or black letters not more than 10 inches high. The owner's name may also appear on the rear bumper in school bus yellow. The lettering shall not exceed 6 inches in height with a ½ inch brush stroke. ~~This option~~ These options shall not relieve the owner or operator from the requirements of sub. (6).

SECTION 67. Trans 300.61(10)(gm) and (j) are created to read:

Trans 300.61(10)(gm) For vehicles powered by liquified petroleum gas, a silver or white diamond-shaped decal on a black background, 4¾ inches long by 3¼ inches high and displaying the word "PROPANE" in one-inch letters displayed on the right rear corner of the bus.

(j) Emergency telephone number may be placed in the driver's compartment in accordance with the following criteria:

1. The device the numbers are displayed on shall not exceed 5 inches by 7 inches and may include a current calendar.

2. Acceptable emergency telephone numbers: police, fire, rescue squad, school bus contractor, and school transportation director or administrator.

SECTION 68. Trans 300.61(11) is repealed.

SECTION 69. Trans 300.62(1) and (3) are amended to read:

Trans 300.62 STEERING. (1) Steering systems shall comply with 49 CFR s. 393.209. No changes may be made in the steering apparatus without the approval of the chassis manufacturer.

(3) The steering components shall may not be loose, worn, or binding, and steering stops shall be adjusted so the tire does not rub at any point. The steering wheel lash may not exceed ~~4/8 turn~~ that found in 49 CFR s. 393.209(b).

SECTION 70. Trans 300.63(2), (6) and (7) are amended to read:

Trans 300.63(2) The riser of any step shall not be more than 15 inches. If there are ~~two~~ 2 or more risers, they shall be approximately equal in height.

(6) Each bus shall be equipped with a stepwell light which activates automatically upon opening of the service door to illuminate the steps. This light is not required to be operational during daylight hours. However, it must be in a working condition at all times.

(7) Each school bus ~~except an automobile, station wagon, or suburban type vehicle~~ shall be equipped with a grab handle at least 10 inches in length, located inside the service door entrance for providing assistance to enter or leave the bus.

SECTION 71. Trans 300.64(1), (3)(c) and (6) are amended to read:

Trans 300.64 STOP SIGNAL ARM. (1) A stop signal arm which meets FMVSS 131 and SAE J1133 is required on every school bus painted with the yellow and black color scheme. The stop signal arm shall not be extended until the bus is completely stopped.

(3)(c) It shall be equipped with ~~two~~ 2 4-inch or larger, double faced alternating flashing red lamps to be mounted near the perimeter of the sign with a minimum of 12 inches spacing between lamp centers. These lamps shall be wired to the circuit of the flashing red warning lamps mounted on the front and rear of the bus. These lamps may be strobe lamps.

(6) The requirements of this section for ~~installation and~~ the operation of the stop signal arm shall not apply to school buses which are operated only in areas where use of the flashing red warning lights is not permitted, ~~nor to vehicles painted other than glossy yellow and not identified by school bus signs.~~

SECTION 72. Trans 300.66(1) is renumbered 300.66(1)(a) and amended to read:

Trans 300.66 SUSPENSION SYSTEM. (1)(a) The suspension system shall comply with the requirements in 49 CFR s. 393.207. The bus shall be equipped with front and rear shock absorbers.

SECTION 73. Trans 300.66(2) and (3) are renumbered 300.66(1)(b) and (2).

SECTION 74. Trans 300.67(4) is amended to read:

Trans 300.67(4) Tires of different size or ply rating may be used except that all tires on an axle must be the same size and type. Bias and radial tires may not be mixed.

SECTION 75. Trans 300.69(1)(a), (c)3 and (d)3, (2) and (3) are amended to read:

Trans 300.69(1)(a) "ANS Z26.1" means the standards for glazing in land vehicles adopted by the American national standards institute, 1430 Broadway, New York, New York, 10018, under its designation Z126.1-1966, including supplement Z126.1a-1969 reference in s. Trans 300.20(1)(k), under 49 CFR part 571, motor vehicle safety standard 205, glazing materials. ~~These standards are on file in the offices of the department of transportation, the secretary of state, and the revisor of statutes and may also be obtained from the American national standards institute at the address given above.~~

(c)3. In new buses or in replacement glazing ~~having~~ has affixed a manufacturer's label specifying instructions and agents for cleaning the ~~material~~ glazing that will minimize the loss of transparency.

(d)3. In new buses or in replacement glazing ~~having~~ has affixed a manufacturer's label specifying instructions and agents for cleaning the glazing that will minimize the loss of transparency.

(2) The glazing in ~~widows~~ windows to the right and left of the driver shall be identified by the designation AS 1 or AS 2. The rearmost windows shall be designated

AS 1, AS 2, AS 4 or AS 5, except that the lower glazed portion of the emergency door may be designated AS 8. Any other side push-out or kick-out windows may be identified with glazing designated as AS 1, AS 2, AS 3, AS 4, AS 5, AS 12, or AS 13.

(3) On buses of more than 10,000 pounds GVWR, the window to the driver's immediate left and the window immediately to the rear of the service door shall be hermetically sealed glass with an insulating air space. Exceptions are cutaway van based vehicles manufactured in 2 stages equipped with a driver's door and a roll-up window. If a lift and lift door are located immediately to the rear of the service door, the window in the lift door is not required to meet this requirement. The window to the rear of the lift door may be glazing applicable to other windows.

SECTION 76. Trans 300.75(6) is amended to read:

Trans 300.75(6) A drip ~~moulding~~ molding shall be installed to effectively divert water from the opening.

SECTION 77. Trans 300.76(1), (3) and (11) are amended to read:

Trans 300.76 POWER LIFT OR RAMPS. (1) Every school bus transporting persons in wheelchairs shall be equipped with either a power lift or ramp which utilizes the special ~~services~~ service opening specified in s. Trans 300.75.

(3) A power lift may be of varying design and operation. A lift may be designed to cause only minor vehicle design change other than for the special service opening, or a different design lift may be built to raise or lower through the floor of the vehicle. Each of these designs shall have a minimum lifting capacity of 700 pounds. A label stating that the lift meets this requirement shall be either permanently affixed to the power lift in a visible location or the information may be permanently stamped in a visible location.

(11) When in the stored position, every power lift or ramp and its associated super structure shall have all exposed sharp edges, corners, and projecting parts ~~the surface facing to the center and the surface facing to the rear of the bus~~ padded to prevent injury in the event of contact in an accident. This requirement shall not apply to the platform surface but shall apply to the sides of the platform if they are exposed and not concealed by a padded super structure or a padded barrier.

SECTION 78. Trans 300.76(12) and (13) are created to read:

Trans 300.76(12) If the lift does not include a padded super structure, the top of the door opening shall be covered with padding at least 2 inches high the entire width of the door opening.

(13) The lift control shall be interlocked with the vehicle brakes, transmission or door, or shall provide other appropriate mechanisms or systems, to ensure that the vehicle cannot be moved when the lift is not stowed and so the lift cannot be deployed unless the interlocks or systems are engaged.

SECTION 79. Trans 300.77(6) is created to read:

Trans 300.77(6) School buses manufactured and placed in operation after January 17, 1994, and transporting passengers in wheel chairs shall comply with FMVSS 222, school bus seating and crash protection. The wheel chairs shall be secured in the following manner:

- (a) In a forward facing position.
- (b) By wheel chair securement devices at 2 locations in the front and 2 locations in the rear.
- (c) If a 3-wheel chair, each wheel location shall be secured.

SECTION 80. Trans 300.78(3) is amended to read:

Trans 300.78(3) Aisle-facing seats in buses transporting wheelchairs are permitted only over the wheel housing provided they are equipped with a device to prevent a passenger from sliding off either end. These seats shall be permanently mounted and shall not have a retractable seating surface.

SECTION 81. Trans 300.79, 300.80 and 300.81 are created to read:

Trans 300.79 COMMUNICATIONS. Every school bus used to transport special education or disabled students shall comply with the communication requirements found in s. Trans 301.14.

Trans 300.80 OPTIONAL EQUIPMENT. A school bus owner or operator shall use the following procedure to obtain authorization for equipment that is not specifically authorized by this chapter:

- (1) Submit an authorization request for equipment installation to the administrator, division of state patrol, P.O. box 7912, Madison, Wisconsin, 53707-7912.
- (2) Equipment installation may only proceed following receipt of a letter of authorization from the administrator, or designee, of the division of state patrol.
- (3) Provide for inspection of the vehicle and equipment if necessary.

Trans 300.81 AUTHORIZED OPTIONAL EQUIPMENT. The following equipment is approved:

- (1) PUBLIC ADDRESS SYSTEM. A school bus may be equipped with a permanently mounted public address system that allows the driver to communicate directions by voice to students outside the bus. Mounting of any external speakers shall not interfere with driver visibility, mirrors or outside lights. Speakers may be mounted under the hood.

(2) WIDE ANGLE REAR VIEW LENS. A school bus may be equipped with a wide angle rear view lens mounted on the upper window of the emergency door. The lens may not cover more than 220 square inches. The lens shall be centered on the window and shall be permanently attached.

(3) RESTROOM. A restroom facility may be installed at the rearmost section of a school bus. Installation shall meet all statutes and rules related to such installation.

The following conditions shall also apply:

(a) The restroom door shall be locked during pupil transportation.

(b) All walls shall be constructed of rigid material.

(c) The restroom or restroom door shall not interfere with access to emergency exits.

(d) There shall be no sharp edges or protrusions.

(4) BACK-UP ALARM. A school bus may be equipped with a back-up alarm system manufactured in accordance with any federal or state specifications.

(5) AIR CONDITIONING UNITS. A school bus may be equipped with air conditioning systems. The system shall be approved by the Wisconsin division of state patrol prior to installation.

(6) SAFETY CONTROL ARM. A school bus may be equipped with a safety control arm. The safety control arm shall be mounted on the right side of the bumper.

(7) VIDEO CAMERAS. A school bus may be equipped with a video camera subject to the following conditions:

(a) The video camera shall be mounted in the driver's compartment above the top glass portion of the windshield. Additional mounting locations may be used upon approval by the division of state patrol.

(b) The video camera may not interfere with driver visibility and passenger entrance and aisle.

(8) BLOOD-BORNE PATHOGEN KIT. A school bus may be equipped with a blood-borne pathogen kit subject to the following conditions:

(a) The kit shall be mounted or located in the driver's compartment.

(b) The kit shall be labeled.

SECTION 82. Trans 300.86(2) is amended to read:

Trans 300.86(2) In construing and enforcing the provisions of this chapter, the act, omission or failure of any officer, agent, servant or other person acting for or employed by the registered owner or the lessee of the bus, whoever has control, done within the scope of his or her employment is deemed to be the act, omission or failure of such registered owner or lessee. This subsection shall not apply to violations of ch. 346, Stats., and s. Trans 300.16.

SECTION 83. Trans 300.87 is renumbered 300.87(1) and is amended to read:

Trans 300.87 INSPECTION PROCEDURES. (1) Upon notification by the department of transportation, or the department of public instruction, or any public school official, the owner or operator shall present all school buses for inspection at the time and place designated or the department may, at its option, inspect the school buses at the owner's place of business. All school buses shall be inspected annually.

SECTION 84. Trans 300.87(2) and (3) are created to read:

Trans 300.87(2) A school bus inspection report shall be completed for each school bus inspected. A copy of the report shall be provided to the school bus owner and the respective school district. Upon completion of an inspection, a school bus shall be approved or disapproved. A school bus is approved when it is found that all require-

ments of this chapter are met. A school bus is disapproved if defects are noted and the school bus inspection report indicates that the vehicle is "out-of-service."

(3) It is unlawful for a person to operate or permit to be operated any school bus that:

(a) Is in violation of any requirement of this chapter.

(b) Requires repairs prior to any operation.

SECTION 85. Trans 300.88 is repealed.

SECTION 86. Trans 300.89 is renumbered 300.88 and amended to read:

Trans 300.88 APPLICABILITY. (1) School buses manufactured prior to January 4, 1983 [Revisor: insert effective date of this rule] shall be subject to the rules applicable at the time the vehicle was first registered as a school bus in Wisconsin. School buses subject to previous standards may be made to conform to the standards in ch. Trans 300 when these standards are less stringent.

(2) All school buses manufactured on January 1, 1983 [Revisor: insert effective date of this rule] or later shall be subject to this rule chapter and to the referenced federal motor vehicle safety standards in effect on the date of manufacture. The department ~~will~~ shall consider the date of manufacture as being the date on which the second stage manufacturer or the school bus body manufacturer completes the installation of the body on the chassis or the date a single manufacturer completes the unit. In the case of a rebody, the completed rebody school bus has been remanufactured on [Revisor: insert effective date of this rule] or later and shall meet the requirements of this chapter and the referenced federal motor vehicle safety standards in effect on the date of the rebody.

~~(3) A school bus previously utilized in another state which is now to be used for Wisconsin pupil transportation shall meet all the requirements in effect at the time it is first introduced into the Wisconsin system. In addition, the bus shall meet the requirements of s. Trans 300.35(6) and (7). A school bus that does not meet these requirements shall not be used for pupil transportation in Wisconsin.~~

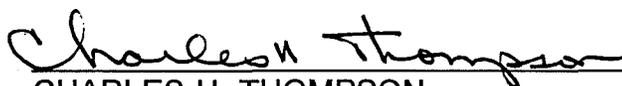
SECTION 87. Trans 300.91 is renumbered 300.89 and amended to read:

Trans 300.89 PENALTIES. Violations of any provisions of ~~ch. Trans 300~~ this chapter shall be prosecuted under the governing statute. Where no penalty is provided, the violation shall be prosecuted as set forth in s. ~~341.04(3)~~ 85.16(2), Stats.

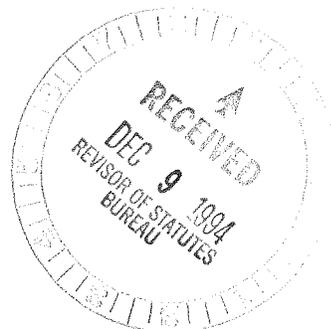
(END OF RULE TEXT)

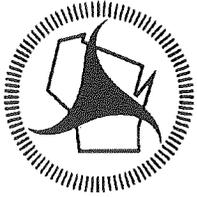
Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 8 day of December, 1994.



CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation





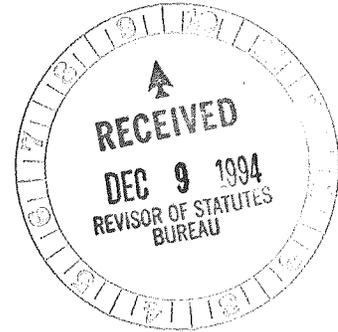
Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

December 9, 1994



Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

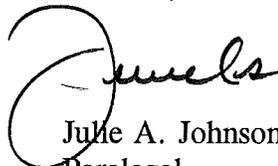
RE: CLEARINGHOUSE RULE 94-88

In the Matter of the Adoption of **TRANS 300**, Wisconsin Administrative Code, relating to **school bus inspection criteria and transportation of school children**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 94-88**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Tom Walker
Dorothy Kapke
Jim McDonnell
Bill Singletary
Lyle Walheim