

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY**

CLEARINGHOUSE RULE 15-069

**PROPOSED ORDER
ADOPTING PERMANENT RULE**

The State of Wisconsin Department of Transportation (Department) Proposes an Order to repeal Trans 300.34(a) and (b); amend Trans 300.15 (2) (d), 300.16 (1), (8), (9) and (10), 300.30 (1), 300.34 (1), (3) (intro.) and (4) (f), 300.39 (9), 300.40 (1) and (3), 300.54 (1) (intro.), (a) (intro.) and 2.,4.,5.,6.,7.,8.,9.,10., and 12; and (am) (intro.) and 1., 300.61 (2), (7), and (10) (e), (f) and (h), and 300.81 (7) (intro.) and (b); to repeal and recreate Trans 300.15 (4), 300.61 (10) (gm) and 300.81 (7) (a); and to create Trans 300.02 (7r), 300.34 (3m), (8), (9) and (10), 300.40 (1m), 300.54 (1) (a) 1. d., and 1m., 300.61 (9m), (10) (k), (L), and (m), and 300.81 (7) (c), (d), (e), (f), and (g), 300.81 (9), (10), (11), and (12); Relating to Transportation of School Children, and affecting small businesses.

The Statement of Scope for this Permanent Rule, SS 092-14, was approved by the Governor on September 4, 2014, and published in Register No. 705 on September 30, 2014, and approved by the Secretary of the State of Wisconsin Department of Transportation (“Department”) Mark Gottlieb, P.E., on October 11, 2014.

The Department proposes an Order to repeal Trans 300.34(a) and (b); amend Trans 300.15 (2) (d), 300.16 (1), (8), (9) and (10), 300.30 (1), 300.34 (1), (3) (intro.) and (4) (f), 300.39 (9), 300.40 (1) and (3), 300.54 (1) (intro.), (a) (intro.) and 2.,4.,5.,6.,7.,8.,9.,10., and 12; and (am) (intro.) and 1., 300.61 (2), (7), and (10) (e), (f) and (h), and 300.81 (7) (intro.) and (b); to repeal and recreate Trans 300.15 (4), 300.61 (10) (gm) and 300.81 (7) (a); and to create Trans 300.02 (7r), 300.34 (3m), (8), (9) and (10), 300.40 (1m), 300.54 (1) (a) 1. d., and 1m., 300.61 (9m), (10) (k), (L), and (m), and 300.81 (7) (c), (d), (e), (f), and (g), 300.81 (9), (10), (11), and (12); relating to Transportation of School Children, and affecting small businesses. The analysis below was prepared by the Department.

ANALYSIS

Statutes Interpreted: Wis. Stat. ss. 343.12(1)(b), 346.48(2)(a), (b), (bm) and (c), 346.48(3), 346.51(1)(a), 347.25(2), and 349.21.

Statutory Authority: Wis. Stat. ss. 110.064(1)(b), 343.12(1)(b), 346.48(2)(a), (b), (bm) and (c), 346.48(3), 346.51(1)(a), 347.25(2), 349.21, Stats., and 227.11(2).

Explanation of Agency Authority: 2013 Wisconsin Act 96 amended Wis. Stat. chs. 110, 343, 346, 347, and 349, in relevant part, to allow a school bus to be equipped with an 8-light warning system. Wisconsin Statute s. 110.064(1)(b) provides the Department with the ability to promulgate rules regulating safety and equipment on a school buses.

Related Statute or Rule: Wis. Stat. ss. 110.064(1)(b), 340.01(56), 343.12(1)(b), 346.48(2)(a), 346.48(2)(b), 346.48(2)(bm), 346.48(2)(c), 346.48(3), 346.51(1)(a), 347.25(2), 349.21, and Trans 300.

Plain Language Analysis: 2013 Wisconsin Act 96 amended Wis. Stat. chs. 110, 343, 346, 347, and 349 to create the allowance for a school bus to be equipped with an 8-light warning system. Prior to 2013 Wisconsin Act 96 school buses were not authorized to be equipped with 8-light warning systems. Through this rulemaking process, the Department proposes to execute its obligation in the following manner. First, this rulemaking process announces that its purpose is to establish guidelines on installation of an 8-light warning system on school buses. Second, this rulemaking establishes the guidelines for allowance and proper use for an 8-light warning system. Last, the rulemaking updates requirements for other aspects of equipment of school buses to reflect recent developments in safety and technology.

Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations: There is no existing or proposed federal statutes, administrative rules or regulations addressing an 8-light warning system on school buses or other equipment standards that they must meet.

Comparison with Rules in Adjacent States:

Illinois Per Illinois code 625 ILCS Sec. 12-805 each school bus purchased as a new vehicle after December 31, 1975, shall be equipped with an 8-lamp flashing warning signal system. Until December 31, 1978, all other school buses shall be equipped with either a 4-lamp or an 8-lamp flashing signal system. After December 31, 1978, all school buses shall be equipped with an 8-lamp flashing signal system.

Iowa Per Iowa code 321.373 IA conforms with the National Congress on School Transportation's most recent guidelines, which recommend an 8-lamp warning system.

Michigan Per Michigan code 257.1819 all new and retrofitted school buses manufactured or retrofitted must be equipped with the 8-lamp warning system.

Minnesota Per Minnesota code 169.442 Subdivision 1., a Type A, B, C, D school bus must be equipped with pre-warning flashing amber signals and flashing red signals.

Summary of the Factual Data and Analytical Methodologies: The proposed rule was written to conform with current Wisconsin state statutes which require the use of the 8-light warning system from 2013 Wisconsin Act 96. The 8-light warning system is recommended for all school buses in guidance dated May 2010, and titled “National School Transportation Specifications and Procedures” adopted by the 15th National Congress on School Transportation. The state of Wisconsin is the last state in the nation that does not require the 8-light warning system. By creating these rules, Wisconsin is now conforming with these standards as well as legal requirements for school bus warning lamps in the surrounding states. Adopting these standards will improve traffic safety by increasing school bus visibility as well as reducing confusion as to legal requirements upon encountering school buses by drivers from outside Wisconsin.

Analysis and supporting documentation used to determine effect on small businesses: There are many school bus companies throughout the state, and it seems likely that some would qualify as a small business under Wis. Stat. s. 227.114. While, this rulemaking seeks to establish a school bus lighting standard small businesses will incur costs to bring each bus into compliance with this rule and current state statute already in place from 2013 Wisconsin Act 96. The Division of State Patrol worked with the Wisconsin School Bus Association to reach a mutual agreement on an effective date for the 8-light warning system implementation in Wisconsin. This mutual agreement was specifically designed to reduce costs incurred by business, small and large.

Effect on Small Businesses: On or after August 1, 2016, a school bus body manufactured after December 31, 2004, shall be equipped with, in addition to the 4 red warning lights, 1 amber warning light installed near each red warning light, at the same level, but closer to the vertical centerline of the bus. The system of red and amber warning signal lights shall be wired so that the amber warning lights are activated manually, and the red warning lights are automatically activated, with the amber warning lights being automatically de-activated, when the stop signal arm is extended. A school bus body manufactured before January 1, 2005, will be grandfathered and will not be required to be equipped with any amber warning lamps. This grandfather provision will benefit small business by not requiring this amber lamp to be installed, therefore saving costs associated with installation on older school buses.

Anticipated costs incurred by private sector: The Division of State Patrol asked two school bus dealers in Wisconsin to provide estimates on converting a school bus to an 8-light warning system.

1. To retrofit a school bus with the 8-light warning system on a bus that did not have an 8-light warning system.

- Mid-State Truck Service:
\$2,420 per bus

- Nelson Bus Service, Inc.
\$1,458.33 per bus

Average = \$1,939.17 per bus

2. To retrofit a school bus with amber interior lights and or lenses that currently had the 8-light warning system but all the lens are red. (This specific provision has been allowed in Wisconsin since 2003 with the anticipation Wisconsin would someday require the 8-lamp “amber” warning system.).

- Mid-State Truck Service
\$333 per bus

- Nelson’s Bus Service, Inc.
\$89.90 per bus
Average = \$211.45 per bus

Depending on the total fleet of each individual company will determine the actual cost to retrofit all buses in their fleet.

The agency contact person listed below is also the small business regulatory coordinator for this proposed rule. This proposed rule, fiscal estimate, and other related documents may be viewed at <https://health.wisconsin.gov/admrules/public/Home>.

Agency Contact Person:

Captain Brian Ausloos
State of Wisconsin Department of Transportation
Division of State Patrol
4802 Sheboygan Avenue Room 551
Madison, Wisconsin 53705
Phone: 608-709-0070
Email address: brian.ausloos@dot.wi.gov

TEXT OF PERMANENT RULE

SECTION 1. Trans 300.02 (7r) is created to read:

Trans 300.02 (7r) “Lights” or “lamps” mean devices that emit light, either to illuminate roads, license plates and similar items, or to warn motorists and the public of the presence of a school bus and the need for due care. In this chapter, both terms have the same meaning and may be used interchangeably.

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

Trans 300.15 (2) (d) The initial pre-sale inspection and a copy of the latest inspection performed by state employees.

SECTION 3. Trans 300.15 (4) is repealed and recreated to read:

Trans 300.15 (4) A driver's report indicating a school bus defect or unsafe condition, in either written or electronic form, shall be maintained for a period of 7 calendar days after repair.

SECTION 4. Trans 300.16 (1) is amended to read:

Trans 300.16 (1) Prior to the start of any trip, the driver, or employer designee, shall check the condition of the bus, giving particular attention to brakes, tires, lights, emergency equipment, mirrors, windows, and interior cleanliness of the bus. Defects shall be reported in writing, or electronic file, to the person in charge of bus maintenance by completing a pre-trip report. In addition to completing a pre-trip report when a defect or unsafe condition is found, an inspection log indicating the date, time, and identification of who completed the inspection must be completed prior to the start of any trip. It is the driver's responsibility to ensure that the pre-trip inspection has been completed prior to the start of any trip. The driver shall be responsible for the cleanliness of the interior of the bus and shall ensure that the windshield and mirrors are clean before each school bus operation and that the strobe light is actuated whenever the bus is in operation on a highway for purposes specified in s. 340.01(56) (a) and (am), Stats.

SECTION 5. Trans 300.16 (8) is amended to read:

Trans 300.16 (8) Loading stations or points shall be selected with due regard for traffic and pedestrian safety and shall be approved by school authorities. ~~When flashing red~~ Flashing warning lights ~~are shall be~~ used as required by s. 346.48(2), Stats ~~they shall be actuated continuously at least 100 feet before stopping~~. The stop arm shall be used in 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 may 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 6. Trans 300.16 (9) is amended to read:

Trans 300.16 (9) A school bus may 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 or flashing red and amber lights and is identified by a school bus sign. This subsection does 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.

SECTION 7. Trans 300.16 (10) is amended to read:

Trans 300.16 (10) The driver shall make sure that there is no traffic danger before allowing pupils to cross the highway. Pupils obliged to cross the 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 may 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 alternating flashing red signals or flashing red and amber lights are required by s. 346.48, Stats., or authorized by s. 349.21, Stats.

SECTION 8. Trans 300.30 (1) is amended to read:

Trans 300.30 (1) Book racks, if installed, shall be located above the side windows. They may not extend forward of the foremost point of the front seat or across or above the rear emergency door.

SECTION 9. Trans 300.34 (1) is amended to read:

Trans 300.34 (1) All school buses shall be painted national school bus glossy yellow with the exception of the trim, grill, roof, wheels and the bumpers. Grills and wheels may be chrome, black, yellow, silver, white or gray. Engine hood tops may be painted matte black or lusterless yellow for glare reduction.

SECTION 10. Trans 300.34 (3) (intro.) is amended to read:

Trans 300.34 (3) ~~The following are designated as trim and~~ Stop arms shall be painted black.

SECTION 11. Trans 300.34 (3)(a) and (b) are repealed.

SECTION 12. Trans 300.34 (3m) is created to read:

Trans 300.34 (3m) Rub rails shall have a 2 inch minimum black color down their center, by either painting or application of a high quality blackout film, paint film, or retro-reflective tape. The remainder of each rub rail shall be either black or national school bus glossy yellow.

SECTION 13. Trans 300.34 (4) (f) is amended to read:

Trans 300.34 (4) (f) Lamp flanges, housings, and an area around the tail, ~~lamps on combination stop, turn, and turn back up~~ lamps not to exceed 3 inches. Areas adjacent to rub rails may exceed 3 inches to the extent of the width of the rub rail.

SECTION 14. Trans 300.34 (8), (9) and (10) are created to read:

Trans 300.34 (8) An external camera, audio monitor or recording device housing shall be either national school bus glossy yellow, black, gray, or white.

Trans 300.34 (9) Sensors used for anti-theft or pre-trip inspections shall be either national school bus glossy yellow, black, gray, or white

Trans 300.34 (10) The roof of a school bus may be painted white. The front and rear roof caps shall be painted school bus glossy yellow or black. The white roof may not extend below the side windows, or if equipped, the drip rail.

SECTION 15. Trans 300.39 (9) is amended to read:

Trans 300.39 (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. Directly beneath or above each “Emergency Door” or “Emergency Exit” designation specified by this section a label shall state in letters at least one inch high, “DO NOT BLOCK” in a color that contrasts with the background of the label. 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 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 or on the window glazing. There may not be any labeling on the glazing indicating emergency door. Labeling or operating instructions may be located on the glazing of emergency window exits as long as the labeling or instructions are clearly visible inside and outside the vehicle.

SECTION 16. Trans 300.40 (1) is amended to read:

Trans 300.40 (1) The exhaust system, which includes the exhaust manifolds, joining gaskets, piping leading from the exhaust manifold, muffler and tail pipe may 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. School buses with 2007 EPA or newer diesel engines, subject to emissions standards in 40 CFR 86.007-11, may have flexible tubing at original manufactured locations and if replaced must meet or exceed manufacturer specifications.

SECTION 17. Trans 300.40 (1m) is created to read:

Trans 300.40 (1m) School buses equipped with an EPA 2007 or newer diesel engine, which is subject to emissions standards in 40 CFR 86.007-11, shall maintain or exceed original specifications equipped by the manufacturer and shall discharge exhaust to the rear or left side of the school bus.

SECTION 18. Trans 300.40 (3) is amended to read:

Trans 300.40 (3) An exhaust system, that ~~has~~ is not an EPA 2007 or newer diesel engine, subject to emissions standards in 40 CFR 86.007-11, may discharge out of its exit on the right side ~~shall have the exit point if~~ located behind the rear wheels.

SECTION 19. Trans 300.54 (1) (intro.) is amended to read:

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

SECTION 20. Trans 300.54 (1) (a) (intro.) is amended to read:

Trans 300.54 (1) (a) (intro.) ~~The~~ A school bus painted in accordance with s. 347.44(1) Stats., shall be equipped with alternating red flashing lamps lights which conform to the following requirements.

SECTION 21. Trans 300.54 (1) (a) 1. d. is created to read:

Trans 300.54 (1) (a) 1. d. A school bus shall be equipped with warning signal lights mounted at the same level as high and widely spaced laterally as practicable. The warning signal lights shall be mounted at the front above the windshield and at the rear so that the lower edge of the lens is not lower than the top line of the side window openings. These lights must be capable of displaying to the front 2, and to the rear 2, overhead alternately flashing red lights.

SECTION 22. Trans 300.54 (1) (a) 1m. is created to read:

Trans 300.54 (1) (a) 1m. On or after August 16, 2016, the following requirements shall apply to school buses:

a. The school bus body shall be equipped with, in addition to the 4 red warning lights described in subd. 1., amber warning light shall be installed near each red warning light, at the same level, but closer to the vertical center line of the bus. The system of red and amber warning signal lights shall be wired so that the amber warning lights are activated manually, and the red warning lights are automatically activated, with the amber warning lights being automatically deactivated, when the stop signal arm is extended.

b. An amber and a red flashing pilot light shall be installed in the driver's forward field of view indicating to the driver which warning light system is activated.

c. The amber and red warning lights shall flash alternately at a rate of 60 to 120 cycles per minute. The "on" period shall be long enough to permit bulb filament to come to full brightness. A double flash effect shall be counted as a single flash.

d. The above requirements in this subdiv. do not apply to school buses whose body was manufactured before January 1, 2005.

SECTION 23. Trans 300.54 (1) (a) 2. is amended to read:

Trans 300.54 (1) (a) 2. The amber and red warning lamps lights shall be of seal beam construction or other approved type such as strobe or light emitting diode, not less than 5 inches

in diameter or with a surface area of at least 19 square inches if not round and visible from a distance of at least 500 feet along the axis of the vehicle in bright sunlight.

SECTION 24. Trans 300.54 (1) (a) 4, 5, 6 and 7. are amended to read:

Trans 300.54 (1) (a) 4. Each amber and red warning signal lamp light shall be mounted with its axis substantially parallel to the longitudinal axis of the bus.

Trans 300.54 (1) (a) 5. The front and rear amber and red warning signal lamps lights shall be spaced as far apart laterally as practicable, and in no case shall the spacing between lamp centers be less than 3 feet.

Trans 300.54 (1) (a) 6. The front amber and red warning signal lamps lights shall be located so that they can be clearly distinguished when headlamps are lighted on ~~lower~~ low beam.

Trans 300.54 (1) (a) 7. The amber and red warning signal lamps lights shall be mounted at the front above the windshield and at the rear so that the lower edge of the lens is not lower than the top line of the side window openings.

SECTION 25. Trans 300.54 (1) (a) 8. is amended to read:

Trans 300.54 (1) (a) 8. The front and the rear signal lamps-warning lights shall be unobstructed by any part of the bus from 5° degrees above to 10° degrees below horizontal and from 30° degrees to the right and 30° degrees to the left of the centerline of the bus.

SECTION 26. Trans 300.54 (1) (a) 9., and 10. are amended to read:

Trans 300.54 (1) (a) 9. The body immediately surrounding the area around the lens of each alternately flashing amber and red signal lamp and extending outward approximately 3 inches to the top and sides and a minimum of one inch to the bottom shall be painted black on all school buses. This subdivision does not apply to vehicles not specifically manufactured as school buses and which have red warning signal lamps mounted above the roof top. Red warning signal lamps on such buses shall be equipped with black hoods at least 3 inches long. warning light shall have a black background extending outward a minimum of 3 inches. Where this is not practicable the background shall extend as wide as possible, with a minimum of a 1 inch black background required.

Trans 300.54 (1) (a) 10. ~~Except as provided in subd. 9.,~~ Amber and red warning signal lamps lights may be equipped with hoods to shield from rays of sun for improved visibility.

SECTION 27. Trans 300.54 (1) (a) 12. is amended to read:

Trans 300.54 (1) (a) 12. Vehicles painted other than glossy yellow are prohibited from having the alternating amber and red flashing warning lights mounted on the vehicle except as otherwise provided by statute.

SECTION 28. Trans 300.54 (1) (am) (intro.) is amended to read:

Trans 300.54 (1) (am) (intro.) Each school bus first registered on or after October 1, 1998, shall be equipped with a strobe light ~~which shall conform with~~ that conforms to the following requirements:

SECTION 29. Trans 300.54 (1) (am) 1. is amended to read:

Trans 300.54 (1) (am) 1. The strobe light shall be of solid state construction. It shall emit a white light by flashing, not rotating, 360^o degrees around the vertical axis.

SECTION 30. Trans 300.61 (2) is amended to read:

Trans 300.61 (2) The body shall bear words "School Bus" in black letters at least 8 inches high and one-inch stroke on both front and rear or on yellow signs attached thereto. The lettering shall be placed above the rear window and the front windshield. This lettering shall only appear on buses painted the yellow and black school bus colors and meeting all the requirements of ~~ch. Trans 300~~ this chapter.

SECTION 31. 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 may not exceed 6 inches in height with a ~~1/2~~ 1/2 inch brush stroke. These options do not relieve the owner or operator from the requirements of sub. (6).

SECTION 32. Trans 300.61 (9m) is created to read:

Trans 300.61 (9m) On or after August 1, 2016, each school bus equipped with an eight light warning system shall have contrasting black lettering indicating the word "STOP" centered on the rear emergency door panel in 8 X 1 inch minimum letters with the words "ON FLASHING RED" directly below and centered in 4 1/2 X 1/2 inch minimum letters. When a rear emergency door is not present this lettering shall be placed in a visible location on the rear of the school bus body as close to the centerline as practicable. This lettering may be reflective material or have a reflective background. An optional driver alert message board may be used in lieu of the required lettering if utilizing a high intensity or LED lights that flash similar cautionary messages in two inch high minimum letters. Amber cautionary messages may flash when the hazard lights or amber warning lights are activated and a red warning message, similar to the required lettering, shall flash when the red warning lights are activated.

SECTION 33. Trans 300.61 (10) (e) is amended to read:

Trans 300.61 (10) (e) ~~SA~~ seating chart, (which shall not exceed a maximum size of 8 1/2 x 11 inches). Numbers designating rows may be placed above the windows on both sides. They shall be black, no taller than 2 inches. They shall be permanent and legible by either painting or decal placement. They shall not interfere with emergency door or window markings.

SECTION 34. Trans 300.61 (10) (f) is amended to read:

Trans 300.61 (10) (f) ~~Rules~~ One page of rules pertaining to passenger conduct located in the drivers compartment above the windshield on the front bulkhead, {which shall not exceed a maximum of 8½ x 11 inches}.

SECTION 35. Trans 300.61 (10) (gm) is repealed and recreated to read:

Trans 300.61 (10) (gm) For vehicles powered by alternative fuels such as liquefied petroleum gas, compressed natural gas or electric propulsion a designator may be placed on a lower rear corner. This designator may also be on the right side and displayed below the window line in the panel to the rear of, and as close as possible to, the service door. If desired, this designator may also be displayed on the left side, below the driver's window. It may not exceed 64 square inches and shall identify the alternative fuel used. A school bus that is utilizing an alternative fuel may have the manufacturer's logo or background colored green.

SECTION 36. Trans 300.61 (10) (h) is amended to read:

Trans 300.61 (10) (h) A sign or lettering indicating the type of fuel used. This may be an industry recognized symbol as the background containing the appropriate lettering or abbreviation designating the type of fuel.

SECTION 37. Trans 300.61 (10) (k) is created to read:

Trans 300.61 (10) (k) A legal disclaimer, not to exceed 5 inches by 7 inches, may be displayed in the drivers compartment to advise passengers that they may be video or audio recorded.

SECTION 38. Trans 300.61 (10) (L) is created to read:

Trans 300.61 (10) (L) A United States flag decal or magnet, not to exceed 6 inches on any side, may be displayed in the drivers compartment provided it does not interfere with any operating controls or other safety signs and equipment. It shall not include any sayings or slogans and may not be placed on the mirror, visor, windshield or any other window.

SECTION 39. Trans 300.61 (10) (m) is created to read:

Trans 300.61 (10) (m) A decal, sticker or lettering stating, **“DO NOT USE THE LAST TWO SEATS UNLESS BUS IS FULL”**, is permissible to be placed on the rear bulkheads. The letters are to be black and are not to exceed 2 inches high. They are to be permanent and legible by either painting or decal placement.

SECTION 40. Trans 300.81 (7) (intro.) is amended to read:

Trans 300.81 (7) (intro.) ~~VIDEO CAMERAS, AUDIO MONITOR OR RECORDING DEVICE / COMPUTER ANTENNA.~~ A school bus may be equipped with a ~~video~~ camera, audio monitor or recording device, or computer antenna subject to the following conditions:

SECTION 41. Trans 300.81 (7) (a) is repealed and created to read:

Trans 300.81 (7) (a) When a device is mounted in the driver's compartment it shall be located so as to not interfere with movement into and out of step well area. When a camera is placed to view through the windshield it shall not be located to the left of the centerline of the school bus. The camera shall be mounted not more than 2 inches below the upper edge of the area swept by the windshield wipers and located outside the driver's sight lines to the road, mirrors, highway signs and signals.

SECTION 42. Trans 300.81 (7) (b) is amended to read:

Trans 300.81 (7) (b) The ~~video camera~~ device may not interfere with driver visibility and passenger entrance and aisle.

SECTION 43. Trans 300.81 (7) (c) is created to read:

Trans 300.81 (7) (c) A device mounted in the rear of the school bus shall not protrude more than 6 inches forward of the rear bulkhead or from the ceiling.

SECTION 44. Trans 300.81 (7) (d) is created to read:

Trans 300.81 (7) (d) A maximum of two devices may be located near the middle of a school bus, if they do not protrude more than 4 inches and are located no more than 15 inches above the side windows that are not emergency exits, measured from the edge of the window frame directly to the device. The device or devices shall be mounted parallel to a seat back. If flush mounted, the device or devices may be located beyond the 15 inch separation from the side window.

SECTION 45. Trans 300.81 (7) (e) is created to read:

Trans 300.81 (7) (e) All devices shall be securely fastened and contained within a shatterproof housing. All exposed edges or sharp corners shall be protected or designed to prevent injury upon contact.

SECTION 46. Trans 300.81 (7) (f) is created to read:

Trans 300.81 (7) (f) External devices shall be contained within a shatterproof housing.

SECTION 47. Trans 300.81 (7) (g) is created to read:

Trans 300.81 (7) (g) A video display, if utilized, shall be mounted in the driver's compartment and within or in close proximity to the forward field of view of the driver. It shall not restrict visibility of the driver's sight lines to the road, mirrors, highway signs and signals, or affect operation of the school bus controls. The video display may be incorporated as part of the interior rear view mirror and display an image when the parking brake is applied, warning lamps are activated, or transmission is in reverse.

SECTION 48. Trans 300.81 (9) is created to read:

Trans 300.81 (9) AIRFOIL. A school bus may be equipped with an airfoil designed to reduce the accumulation of snow on the rear of the bus.

SECTION 49. Trans 300.81 (10) is created to read:

Trans 300.81 (10) PASSENGER ADVISORY OR THEFT SYSTEM. A school bus may be equipped with a passenger advisory / theft system as long as the system does not interfere with operation or identification of other school bus standards set forth in this rule.

SECTION 50. Trans 300.81 (11) is created to read:

Trans 300.81 (11) NAVIGATIONAL DEVICE OR LAPTOP COMPUTER INSTALL. A school bus may be equipped with a navigational device that meets the following requirements:

- (a) The device is mounted within the driver's compartment.
- (b) The device shall be mounted in a position where it does not obscure the driver's sight lines to the road, mirrors, highway signs and signals and it may not impede space within the aisle.
- (c) The device shall be securely mounted.
- (d) The display shall activate for navigational purposes only while the school bus is in motion. Distractive manipulation of the device is prohibited while the school bus is being driven. For the purposes of this section only, driven means operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays such as picking up or discharging students. Driven does not include operating a school bus, with or without the motor running, when the school bus is legally stopped or parked upon the highway.
- (e) Software programs, if utilized, shall be specific to school bus operations such as, but not limited to, passenger accountability, routing, navigation, emergency notification, tracking, messaging and equipment monitoring.
- (f) The device shall be used with due regard to passenger safety. At no time shall operation of this device cause a distraction while operating the school bus.

SECTION 51. Trans 300.81 (12) is created to read:

Trans 300.81 (12) ADDITIONAL DRIVER OR PASSENGER SAFETY ITEMS. A school bus may be equipped with additional safety items such as a seat belt cutter with recessed razor blade, hand sanitizer, and automated external defibrillator or AED. These items shall be kept in the driver's compartment. Additional items may be authorized upon written approval of the Division of State Patrol.

SECTION 52. 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) (intro.), Stats.

(END OF RULE TEXT)