

CHAPTER 180

AN ACT to repeal 85.40 (1) (f); to amend 85.91 (2) and (3); and to repeal and recreate 85.16 (12) of the statutes, relating to vehicles stopping for school busses loading or unloading, and imposing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 85.16 (12) of the statutes is repealed and recreated to read:

85.16 (12) STOPPING FOR SCHOOL BUSES LOADING OR UNLOADING PUPILS. (a) The driver of a vehicle upon meeting or overtaking a school bus which has stopped on a highway outside of a business or residential district shall stop his vehicle before reaching the bus and shall not pass the bus until the bus has resumed motion or until the bus driver has signaled him to proceed. These requirements shall not be deemed to relieve the driver of a school bus from performing the duty of so conducting its operation, with due regard to the exercise of ordinary care, as to permit the flow of vehicular traffic without unnecessary interruption. The provisions of this subsection do not apply to vehicles proceeding in the opposite direction of a school bus on the opposite side of a divided highway.

(b) For the purposes of par. (a) a "school bus" is any vehicle used for the transportation of school children which stops on the public highway outside of a business or residential district to load or unload passengers and which bears upon its front and rear a plainly visible sign containing the words "School Bus" in letters not less than 8 inches in height, black on yellow. When such a vehicle is being operated upon a public highway for purposes other than the actual transportation of children as provided in ss. 40.34 and 40.345, all markings thereon indicating it is a school bus shall be removed or concealed.

SECTION 2. 85.40 (1) (f) of the statutes is repealed.

SECTION 3. 85.91 (2) and (3) of the statutes are amended to read:

85.91 (2) Any person violating any of the provisions of ss. 85.06, 85.14 (2), 85.15 (1), (2) and (3), 85.16 (3) to (7) and (9), (10), (11) and (12) (a), 85.18 (7), 85.19 (1), (5) and (9), 85.20, 85.24, 85.29, 85.30, 85.32, 85.34 (3), 85.36 to 85.38, 85.39 (3), 85.40 (1) (a), (b), (g) and (h) and (2) (c), 85.41 (2), 85.51, 85.55 to 85.60, 85.62, 85.67 (1) and 85.92 (1) shall be * * * *fined* not to exceed \$25 for the first offense and for the second or each subsequent conviction within one year thereafter, * * * *fined* not to exceed \$100 or * * * *imprisoned* not more than 30 days or both.

(3) Any person violating any provision of ss. 85.13, 85.14 (1), 85.395, 85.40 (1) (c), (d), (e) * * * and (2) (a) * * *, (b) and (3), 85.44 (10), 85.81 and 85.83 shall be punished, in addition to any other penalty provided by law, by a fine not to exceed \$100 or * * * *imprisoned* for not more than 6 months * * * or * * * both * * *. For the second or each subsequent conviction within one year thereafter such person shall be * * * *fined* not to exceed \$200 or * * * *imprisoned* not to exceed one year * * * or * * * both * * *.

Approved May 22, 1953.