



2007 ASSEMBLY BILL 675

January 10, 2008 - Introduced by Representatives POPE-ROBERTS, SOLETSKI, ALBERS, BERCEAU and SHERIDAN, cosponsored by Senators SCHULTZ and ERPENBACH. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 346.48 (1), 347.25 (2), 347.44 (title), 347.445 and 349.21 (1);
2 and *to create* 340.01 (35r), 347.26 (11) (as) and 347.44 (2m) of the statutes;
3 **relating to:** multifunction school activity buses.

Analysis by the Legislative Reference Bureau

Current law requires school buses to be painted “school bus yellow” with black trim and lettering (school bus colors). A “school bus” is defined to include a motor vehicle that carries ten or more passengers in addition to the operator, or that is painted in school bus colors, for the purpose of transporting pupils to or from a public or private school or to or from curricular or extracurricular activities. However, a “school bus” does not include a motor vehicle owned or operated by a parent transporting only his or her own children, an alternative vehicle, or a motor bus operated for purposes of transporting pupils to or from curricular or extracurricular activities. These motor vehicles specifically excluded from the definition of “school bus” may, however, be painted in school bus colors and, when so painted, are subject to all rules applicable to school buses.

Current law prohibits a person from operating a school bus that is painted in school bus colors unless the school bus is equipped with flashing red signals and with a flashing white strobe light. Current Department of Transportation (DOT) rules also require a school bus painted in school bus colors to be equipped with a stop signal arm.

This bill creates a distinct category of school bus called a multifunction school activity bus (MFSAB), which is defined as vehicle that is a school bus but that does

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not transport pupils to or from the pupils' homes or school bus stops near the pupils' homes. An MFSAB is not required to be painted in school bus colors and, when not so painted, is not required to be equipped with flashing red signals, a flashing white strobe light, a stop signal arm, or a retractable crossing gate on the front of the bus. However, an MFSAB can be painted in school bus colors and, when so painted, must be equipped with flashing red signals, a flashing white strobe light, and a retractable crossing gate on the front of the bus and is also subject to DOT rules requiring a stop signal arm. The bill also specifies that an MFSAB that is not equipped with flashing red lights is not subject to certain operating requirements related to school bus flashing red lights. In other respects, an MFSAB is subject to requirements applicable to other school buses and may operate as other school buses do.

With exceptions, current law prohibits vehicles from displaying flashing lights. This bill allows MFSABs to be equipped with a 360-degree flashing or rotating amber light mounted at the highest practicable point on the vehicle.

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

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

1 **SECTION 1.** 340.01 (35r) of the statutes is created to read:

2 340.01 (35r) "Multifunction school activity bus" means a vehicle that is a school
3 bus as defined in sub. (56) (a) 1. to 3. but that does not transport pupils to or from the
4 pupils' homes or school bus stops near the pupils' homes.

5 **SECTION 2.** 346.48 (1) of the statutes is amended to read:

6 346.48 (1) The operator of a vehicle which approaches from the front or rear
7 any school bus which has stopped on a street or highway when the bus is equipped
8 according to s. 347.25 (2) and when it is displaying flashing red warning lights, shall
9 stop the vehicle not less than 20 feet from the bus and shall remain stopped until the
10 bus resumes motion or the operator extinguishes the flashing red warning lights.
11 The operator of any school bus equipped according to s. 347.25 (2) which approaches
12 from the front or rear any school bus which has stopped and is displaying flashing
13 red warning lights shall display its flashing red lights while stopped. This subsection

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1 does not apply to operators of vehicles proceeding in the opposite direction on a
2 divided highway.

3 **SECTION 3.** 347.25 (2) of the statutes is amended to read:

4 347.25 (2) No person may operate a school bus which is painted as provided in
5 s. 347.44 (1) unless it is equipped with flashing red signals and with a 360-degree
6 flashing white strobe light having a flashrate of 60 to 120 per minute. The secretary
7 shall prescribe rules for the type, installation, operation and light output brilliance
8 of the signals and lights required under this subsection. No vehicle may be equipped
9 with such flashing red signals and a strobe light unless it also is painted as provided
10 in s. 347.44 (1).

11 **SECTION 4.** 347.26 (11) (as) of the statutes is created to read:

12 347.26 (11) (as) In addition to any other lamps authorized under this
13 subsection, a multifunction school activity bus may be equipped with a 360-degree
14 flashing or rotating amber light mounted at the highest practicable point on the
15 vehicle.

16 **SECTION 5.** 347.44 (title) of the statutes is amended to read:

17 **347.44 (title) Painting and equipment requirements for and**
18 **restrictions related to school buses; restrictions as to painting of and other**
19 **vehicles.**

20 **SECTION 6.** 347.44 (2m) of the statutes is created to read:

21 347.44 (2m) A multifunction school activity bus may, but need not, comply with
22 sub. (1). If the multifunction school activity bus does not comply with sub. (1), the
23 multifunction school activity bus is not subject to s. 347.25 (2) or 347.445 and is not
24 required to be equipped with a stop signal arm.

25 **SECTION 7.** 347.445 of the statutes is amended to read:

