



2001 SENATE BILL 228

August 8, 2001 - Introduced by Senators BRESKE and COWLES, cosponsored by Representatives OLSEN, RYBA, KRAWCZYK, PLOUFF, LIPPERT, VRAKAS and HAHN. Referred to Committee on Insurance, Tourism, and Transportation.

1 **AN ACT to amend** 121.555 (1) (a), 121.555 (1) (b) and 340.01 (56) (a) of the
2 statutes; **relating to:** school buses and alternative motor vehicles used for
3 pupil transportation.

Analysis by the Legislative Reference Bureau

Under current law, a school district or a private school may transport students to and from school and other educational activities in an alternative motor vehicle if students are not transported in a school bus. A "school bus" is a vehicle that is specially painted as an identifiable school bus or any vehicle transporting ten or more pupils to and from school and other educational activities. An alternative motor vehicle is a motor vehicle that is owned by or operated under contract with a school board or a private school and may transport nine or fewer passengers. However, if an emergency exists and a school board or private school has the permission of the secretary of transportation, an alternative motor vehicle may transport ten or more passengers.

This bill specifies that, absent an emergency and permission of the secretary of transportation, an alternative motor vehicle must be designed and used to transport nine or fewer passengers. The bill also specifies that a school bus is a vehicle specially painted as an identifiable school bus or any vehicle that is designed and being used to transport ten or more pupils to and from school or other educational activities.

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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.** 121.555 (1) (a) of the statutes is amended to read:

2 121.555 (1) (a) A motor vehicle ~~transporting 9 or less~~ that is designed and used
3 to transport 9 or fewer passengers in addition to the operator.

4 **SECTION 2.** 121.555 (1) (b) of the statutes is amended to read:

5 121.555 (1) (b) A motor vehicle ~~transporting~~ designed to transport 10 or more
6 passengers in addition to the operator and used temporarily to provide
7 transportation for purposes specified under s. 340.01 (56) (a) when the school board
8 or the governing body requests the secretary of transportation to determine that an
9 emergency exists because no regular transportation is available. The secretary of
10 transportation shall approve or deny the request in writing. Any authorization
11 granted under this paragraph shall specify the purpose and need for the emergency
12 transportation service.

13 **SECTION 3.** 340.01 (56) (a) of the statutes is amended to read:

14 340.01 (56) (a) Means a motor vehicle ~~which carries~~ that is designed and being
15 used to transport 10 or more passengers in addition to the operator or a motor vehicle
16 painted in accordance with s. 347.44 (1) for the purpose of transporting:

17 **SECTION 4. Initial applicability.**

18 (1) The treatment of sections 121.55 (1) (a) and (b) of the statutes first applies
19 to transportation provided under contracts entered into, extended, modified, or
20 renewed on the effective date of this subsection.

21 **SECTION 5. Effective date.**

