

1975 Assembly Bill 202

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CHAPTER 120, Laws of 1975

AN ACT to amend 346.48 (2); to repeal and recreate 121.51 (1) and 340.01 (56); and to create 110.01 of the statutes, relating to the definition of "school bus" for purposes of school bus design, construction, inspection and operation and the vehicle code.

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

SECTION 1. 110.01 of the statutes is created to read:

110.01 Definitions. Words and phrases defined in chs. 340 to 349 have the same meaning in this chapter unless a different meaning is expressly provided or the context clearly indicates a different meaning.

SECTION 1m. 121.51 (1) of the statutes is repealed and recreated to read:

121.51 (1) "School bus" has the meaning designated in s. 340.01 (56).

SECTION 2. 340.01 (56) of the statutes is repealed and recreated to read:

340.01 (56) "School bus":

(a) Means a motor vehicle which transports:

1. Children to or from a public or private school which fulfills the compulsory school attendance requirements of s. 118.15;
2. School groups engaged in extracurricular activities of such public or private schools to or from points designated by such schools;
3. Children to or from religious instruction on days when school is in session; or
4. Persons having a handicap of a type specified under s. 115.76 (3) (a) to (g) to or from a public or private facility for purposes of participating in a rehabilitation, training, or educational program approved by the department of public instruction, or the department of health and social services.

(b) Does not include:

1. A motor vehicle owned or operated by a parent or guardian transporting only his own children, regardless of whether a school has made a contract with or paid compensation to such parent or guardian for such transportation;

2. A motor vehicle having a passenger-carrying capacity of fewer than 10 persons, including the operator, determined by dividing the total seating space measured in inches by 20, used:

- a. In reciprocal transportation within par. (a) between parents of school children.
- b. In casual occasional transportation of school children; or

3. A motor vehicle operated by a common motor carrier of passengers, used in urban transportation within par. (a) or when in extracurricular activities to and from points designated by the appropriate agency in charge of such persons under this subsection, and authorized under ch. 194.

SECTION 3. 346.48 (2) (c) of the statutes is amended to read:

346.48 (2) (c) When a school bus is being used on a highway for purposes other than the actual transportation of pupils or other authorized passengers to or from a school or a school-approved activity, the flashing red warning lights shall not be used, and all markings on the front and rear of the bus indicating it is a school bus shall be removed or completely concealed; except that any time a motor vehicle is equipped as provided under ss. 347.25 (2) and 347.44 and is transporting children for any purpose, the school bus markings may remain unconcealed and the flashing red signals may be used as provided in this section and when so used, sub. (1) applies to operators of other motor vehicles.
