



2001 SENATE BILL 227

August 8, 2001 - Introduced by Senators BRESKE, BURKE, ROESSLER and DARLING, cosponsored by Representatives OLSEN, RYBA, LADWIG, MUSSER, AINSWORTH, TURNER, KRAWCZYK, JESKEWITZ, LASSA, VRAKAS, NASS, URBAN and PETTIS. Referred to Committee on Insurance, Tourism, and Transportation.

1 **AN ACT to repeal** 343.12 (4) (a) 2. and 343.20 (1) (d); **to amend** 343.12 (2) (a),
2 343.12 (3) and 343.26; and **to create** 343.12 (2m) and 343.255 of the statutes;
3 **relating to:** qualifications for endorsements authorizing the operation of a
4 school bus.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a school bus unless the person possesses an endorsement issued by the department of transportation (DOT) to operate school buses. DOT is required to issue a school bus endorsement to any applicant for the endorsement who is at least 18 years of age but not more than 70 years of age and who meets the stated requirements, including passing a physical examination. A school bus endorsement is valid for the eight-year duration of the person's operator's license. DOT may, but is not required to, issue a school bus endorsement to any person who is more than 70 years of age and who annually takes and passes a physical examination and satisfies the requirements required of younger school bus operators.

This bill requires each school bus operator under 70 years of age to submit to DOT, at least once every four years, proof that the person has passed a knowledge test and a driving skills test of his or her ability to safely operate a school bus. The bill requires school bus operators who are 70 or more years of age to submit proof of passing a knowledge test, driving skills test, and physical exam every two years. The bill requires DOT to cancel the school bus endorsement of any person who fails to submit proof that he or she has passed the required tests.

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Current law requires DOT to cancel the entire operator's license of a person who is more than 70 years of age if the license is endorsed for the operation of school buses, and the person fails to submit annual proof that he or she has passed a physical examination. This bill requires DOT to cancel only the endorsement, not the entire operator's license.

For further information see the *state* 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.** 343.12 (2) (a) of the statutes is amended to read:

2 343.12 (2) (a) Subject to sub. (3), is at least 18 years of age and not 70 or more
3 ~~than 70~~ years of age.

4 **SECTION 2.** 343.12 (2m) of the statutes is created to read:

5 343.12 (2m) Notwithstanding sub. (2) (h) and s. 343.16 (3) (b), each person
6 under 70 years of age who holds an endorsement to operate a school bus shall provide
7 proof to the department that, within the preceding 4 years, the person has passed the
8 examinations described under sub. (2) (h) and s. 343.16 (3) (b). Each person 70 years
9 of age or older who holds an endorsement to operate a school bus shall provide proof
10 to the department that, within the preceding 2 years, the person has passed the
11 examinations described under sub. (2) (h) and s. 343.16 (3) (b). If a person fails to
12 provide proof required under this subsection in the form and manner required by the
13 department, the department shall cancel the person's school bus endorsement as
14 required under s. 343.255.

15 **SECTION 3.** 343.12 (3) of the statutes is amended to read:

16 343.12 (3) The department may issue a school bus endorsement to a person who
17 is 70 or more than 70 years of age if the person meets the requirements specified in
18 sub. (2) (c) to (f) and (h) before issuance of the endorsement and annually takes and

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1 passes a physical examination prior to issuance or renewal of the endorsement to
2 determine that the person meets the physical standards established under sub. (2)
3 (g).

4 **SECTION 4.** 343.12 (4) (a) 2. of the statutes is repealed.

5 **SECTION 5.** 343.20 (1) (d) of the statutes is repealed.

6 **SECTION 6.** 343.255 of the statutes is created to read:

7 **343.255 Cancellation of school bus endorsements.** The department shall
8 cancel a licensee's school bus endorsement issued under s. 343.12 (2), regardless of
9 the license expiration date, whenever the licensee fails to provide proof to the
10 department that he or she has passed the examinations as required under s. 343.12
11 (2m). The department shall cancel a licensee's school bus endorsement issued under
12 s. 343.12 (3), regardless of the license expiration date, whenever the licensee fails to
13 provide proof to the department of an annual physical examination determining that
14 the person meets the physical standards established under s. 343.12 (2) (g). The
15 licensee may elect to surrender the endorsement or his or her license under s. 343.265
16 (1m).

17 **SECTION 7.** 343.26 of the statutes is amended to read:

18 **343.26 License or endorsement after cancellation.** Any person whose
19 license or endorsement has been canceled, whether the license or endorsement has
20 been canceled by the secretary or stands canceled as a matter of law, may apply for
21 a new license or endorsement at any time. Upon receipt of the application and the
22 required fee, the department shall issue or refuse issuance of the license or
23 endorsement as upon an original application. The department may, but need not,
24 require the applicant to submit to an examination as provided in s. 343.16.

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(END)