

*****REVISED*****

****Note LRB 2862 is now SB 179****

Senate

COMMITTEE HEARINGS

Committee on Education

The committee will hold a public hearing on the following items at the time specified below:

Wednesday, May 23, 2001
9:00 a.m.
300 Southeast
State Capitol

Senate Bill 179

Relating to: requiring crossing gates on school buses, granting rule-making authority, and providing a penalty.

By Senators Grobschmidt, Plache, Burke, Risser and Shibilski; cosponsored by Representatives Plale, Urban, Sinicki, Turner, Ryba, Ott, Morris-Tatum and Wasserman.

Senate Bill 69

Relating to: state aid for special education and school age parents programs.

By Senators Grobschmidt, Burke, Shibilski, Risser, Breske, Plache, George, Robson and Hansen; cosponsored by Representatives Schooff, Plale, Sinicki, La Fave, Staskunas, Ryba, Bock, Colon, Boyle, Gronemus, Miller, Pocan, Wasserman, Johnsrud, Berceau, J. Lehman, Lassa, Morris-Tatum, Williams, Turner, Richards, Seratti, Sykora, Plouff, Black and Balow.

An Executive Session will be held on SB 4, SB 120, SB 124, SB 153. An Executive Session may also be held on any of the above listed proposals or any other matter pending before the Committee.

Senator Richard Grobschmidt

Vote Record

Senate - Committee on Education

Date: 5-23-01
Moved by: RG Grobschmidt Seconded by: Robson
Clearinghouse Rule: _____
Appointment: _____
Other: _____

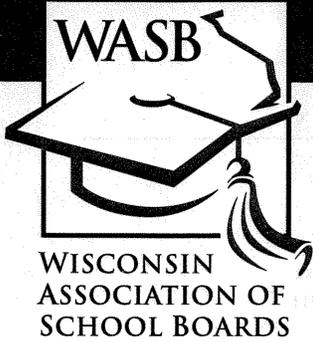
AB: _____ SB: 179
AJR: _____ SJR: _____
AR: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Richard Grobschmidt, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kevin Shibilski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jim Baumgart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jon Erpenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alberta Darling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mary Lazich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sheila Harsdorf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____



122 W. WASHINGTON AVENUE, MADISON, WI 53703
PHONE: 608-257-2622 • FAX: 608-257-8386

KEN COLE, EXECUTIVE DIRECTOR

TO: Senator Rick Grobschmidt, Chair
Members of the Senate Education Committee

FROM: Annette Talis and Sheri Krause
Legislative Services Coordinators

DATE: May 23, 2001

RE: Senate Bill 179, relating to requiring crossing gates on school buses

The safety of children is of paramount importance to the members of the Wisconsin Association of School Boards. As such, the WASB does not oppose Senate Bill 179, relating to requiring crossing gates on school buses.

However, many school districts will find it difficult to install crossing gates on their buses due to the current fiscal constraints under revenue limits. Many districts have already made severe cut-backs to their maintenance programs, postponed purchasing new equipment, including buses, and made other cuts to prevent or postpone impacting student programs. Any additional unfunded mandates by the state will only contribute to this situation and force districts to make further cuts.

As a result of the current fiscal constraints, the top priority for the WASB is revenue limit flexibility and the WASB's '2 Percent for Kids' proposal. The '2 Percent' proposal would provide districts with the ability to better respond to unanticipated cost increases and make thoughtful budget adjustments without impacting two-thirds funding of schools or further limiting student programs.

We ask the committee to consider funding for this proposal and the need for revenue limit flexibility.

Thank you.

STATE OF WISCONSIN

To _____

Date _____ Time _____

WHILE YOU WERE OUT

M _____

of _____

Phone _____

Telephoned	<input type="checkbox"/>	Please Call	<input type="checkbox"/>
Called to See You	<input type="checkbox"/>	Rush	<input type="checkbox"/>
Returned Your Call	<input type="checkbox"/>	Will Call Again	<input type="checkbox"/>

Message This just came on
E-mail. I authorized
the release.



Party Receiving Call

Fiscal Estimate - 2001 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-2862/1	Introduction Number SB-179
------------------------------------	--

Subject
 Crossing gates on school buses

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes No
- Decrease Costs

Local:

- No Local Government Costs
 - Indeterminate
 - 1. Increase Costs Permissive Mandatory
 - 2. Decrease Costs Permissive Mandatory
 - 3. Increase Revenue Permissive Mandatory
 - 4. Decrease Revenue Permissive Mandatory
- 5. Types of Local Government Units Affected**
- Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By	Authorized Signature	Date
DOT/ Loralee Brumund (608) 267-3622	Carol Buckmaster (608) 267-6979	5/22/01

Fiscal Estimate Narratives

DOT 5/23/01

LRB Number 01-2862/1	Introduction Number SB-179	Estimate Type Original
Subject Crossing gates on school buses		

Assumptions Used in Arriving at Fiscal Estimate

SB 179 requires Wisconsin school buses which are painted in compliance with s.374.44, Wis.Stats., to be equipped with a retractable crossing gate that prevents children from crossing in front of the bus in such proximity that they are not visible to the bus driver. The gates or safety control arms are mounted on the right side of the front bumper of the bus and are activated by the bus driver when children are being loaded or unloaded from the bus.

Currently, Tran 300.81 permits the installation of safety control arms, but does not establish guidelines for the specifications, installation or operation.

The estimated cost to retrofit a school bus with a safety control arm is \$250 per bus; the estimated cost of the control safety arm as part of standard equipment on a new bus is \$175 per bus. The Wisconsin School Bus association estimates that of the 10,000 school buses in operation in Wisconsin, 7,000 already have the safety control arms. Thus, SB 179 would require the 3000 school buses to either purchase new buses with the safety control arms as standard equipment or retrofit existing buses. The total cost to retrofit or replace the buses would depend upon the action required by the bus operators.

The Division of State Patrol within the Department of Transportation would be responsible for amending Trans 300 to establish the rules for the specifications, installation and operation of the safety control arms. These amendments to Trans 300 could be accomplished during routine DOT tasks and would not have a fiscal impact on DOT.

The State Patrol's instruction for school bus inspectors would be incorporated into routine training sessions and would not have a fiscal impact on the State Patrol.

Long-Range Fiscal Implications

none

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-2862/1	Introduction Number SB-179	
Subject		
Crossing gates on school buses		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):		
Requiring crossing gates on school buses, granting rule-making authority, and providing a penalty.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$0	\$unknown
NET CHANGE IN REVENUE	\$0	\$0
Agency/Prepared By		
Authorized Signature		Date
DOT/ Lorelee Brumund (608) 267-3622		5/22/01
Carol Buckmaster (608) 267-6979		

FAX TRANSMISSION REPORT

DATE: 5-22-01 NUMBER OF PAGES INCLUDING THIS PAGE: 4

PLEASE DELIVER THIS TRANSMISSION TO:

NAME: Lisa Moen

ORGANIZATION: Sen. Grobstein's Office

TELEPHONE NO.: _____ FAX NO.: 6-7483

FROM:

NAME: Jewell Johnson

WISCONSIN DEPARTMENT OF TRANSPORTATION - OFFICE OF GENERAL COUNSEL

P.O. BOX 7910, MADISON, WI 53707-7910

PHONE: (608) 266-8810 FAX: (608) 267-6734

MESSAGE: _____

View Worksheet

Page 1 of 1

Wisconsin Department of Administration
 Division of Executive Budget and Finance
 DOA-2047 (R07/2000)

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original Updated Corrected Supplemental

LRB Number 01-2862/1		Introduction Number SB-179	
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(FTE Position Changes)			
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GPR			
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues		\$	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
NET CHANGE IN COSTS		\$0	\$unknown
NET CHANGE IN REVENUE		\$0	\$0
Agency/Prepared By		Authorized Signature	Date
DOT/ Lorelee Brumund (608) 267-9822		Carol Buckmaster (608) 267-6979	5/21/01

Fiscal Estimate Narratives
DOT 05/21/2001

LRB Number 01-2862/1	Introduction Number SB-179	Estimate Type Original
Subject		
Crossing gates on school buses		

Assumptions Used in Arriving at Fiscal Estimate

SB 179 requires Wisconsin school buses which are painted in compliance with s.374.44, Wis.Stats., to be equipped with a retractable crossing gate that prevents children from crossing in front of the bus in such proximity that they are not visible to the bus driver. The gates or safety control arms are mounted on the right side of the front bumper of the bus and are activated by the bus driver when children are being loaded or unloaded from the bus.

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The State Patrol's instruction for school bus inspectors would be incorporated into routine training sessions and would not have a fiscal impact on the State Patrol.

Long-Range Fiscal Implications

none

- Jim & Karen Chojnacki

7010 S. Crane Dr.

Oak Creek 53154

414-762-1679

Moen, Lisa

From: Grobschmidt, Richard
Sent: Tuesday, March 27, 2001 11:37 AM
To: Moen, Lisa
Subject: FW: School Bus Safety

Follow-up on status

-----Original Message-----

From: kchojnacki [mailto:kchojnacki@netzero.net]
Sent: Tuesday, March 27, 2001 10:17 AM
To: Grobschmidt, Richard
Subject: Re: School Bus Safety

Dear Senator Grobschmidt,

My husband, Jim, said that he had spoken with you shortly after our meeting and that you informed him that the bill for mandating a swinging gate on all school buses had been written up and needed to go before the attorneys for review. I am inquiring on the status of the bill.

I have been trying to gather supporters, however I would like to reference a bill number if at all possible. Do you know how long it may be yet?

Please advise.

I greatly appreciate the time you have given us.

Sincerely,

Karen S. Chojnacki

Shop online without a credit card
<http://www.rocketcash.com>
RocketCash, a NetZero subsidiary

Jim & Karen
7010 S. Crane Dr
762-1679

Wisconsin State Senator
RICHARD GROBSCHMIDT
7th Senate District

FAX COVER SHEET
FAX NUMBER: (608) 266-7483

Number of pages attached including cover page: 2

If pages are not all received, or are illegible, please call: Lisa @ 1-800-361-5487

PLEASE DELIVER TO: Tami Kou

FAX NUMBER OF ADDRESSEE: 414-967-5378

MESSAGE:

Tami, Attached is a hearing notice for the school bus safety gate bill. Please call if you have any questions. Thanks.

Lisa Moen

Wisconsin State Senator
RICHARD GROBSCHMIDT
7th Senate District

FAX COVER SHEET
FAX NUMBER: (608) 266-7483

Number of pages attached including cover page: 3

If pages are not all received, or are illegible, please call: Lisa @ 266-7505

PLEASE DELIVER TO: Beulah

FAX NUMBER OF ADDRESSEE: 255-0642

MESSAGE:

Beulah, Here's a copy of the bill. It should be formally introduced and referred to committee today. Please call if you have any questions.

Lisa

Moen, Lisa

From: Sumi, John
Sent: Wednesday, March 14, 2001 8:04 AM
To: Moen, Lisa
Subject: FW: Safety Gates, School Buses

This guy is following up on Rick's meeting with DOT Secretary Mulcahy. I mentioned to Joe Maassen DOT legal counsel that you were handling the issue.

-----Original Message-----

From: Lorentz, Jeffrey
Sent: Tuesday, March 13, 2001 2:54 PM
To: Maassen, Joe; Fernan, Joan
Cc: Sumi, John; Teasdale, Charles
Subject: RE: Safety Gates, School Buses

In Trans 300.81(6) Authorized optional equipment. SAFETY CONTROL ARM. A school bus may be equipped with a safety control arm. The safety control arm shall be mounted on the right side of the bumper.

The device is becoming popular in Wisconsin. Sgt. Chuck Teasdale may be able to provide you with more detailed information or Bob Christian, WSBA Executive Director is also a good resource.

jeff

-----Original Message-----

From: Maassen, Joe
Sent: Thursday, March 08, 2001 3:10 PM
To: Fernan, Joan; Lorentz, Jeffrey
Cc: Sumi, John
Subject: Safety Gates, School Buses

Jeff, Joan do either of you, or your bureau's, have information on safety gate's for the fronts of school buses. My understanding is that they are a device that, when the bus is stopped, would extend forward from the front of the bus. The purpose would be to require exiting passengers to walk far enough in front of the bus so that the driver could see the passenger moving into the path of the bus.

Apparently a young person was recently killed after exiting a bus, turning to cross in front of the bus, the driver didn't see he/she and the accident occurred. Sen. Grobschmidt's office is interested in getting information on these devices with an eye toward the possibility of additional legislation/regulation.

Beside information on how they work and how much it costs to retrofit a bus with the device, have either of your offices heard of or seen their use in Wisconsin? Can you help, perhaps through NHTSA, find out if these devices are used/mandated anyplace else in the country. Thanks for any help you can give me on this matter...if not either of you...please direct me to who...in DOT ...you think would be able to help!

Joe Maassen
266-7364

Lisc —

Call Jim & Rene Choinacki
with Bill # as Wed.

of home # & directions to
Capital suggestions of where
to park

762-1679

Moen, Lisa

From: Sumi, John
Sent: Thursday, March 08, 2001 3:37 PM
To: Moen, Lisa
Subject: FW: Safety Gates, School Buses

Rick brought the safety gate issue up with Secretary Mulcahy. Joe Maassen is following up. I have let him know that you will be working on the bill.

John

-----Original Message-----

From: Maassen, Joe
Sent: Thursday, March 08, 2001 3:10 PM
To: Fernan, Joan; Lorentz, Jeffrey
Cc: Sumi, John
Subject: Safety Gates, School Buses

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Joe Maassen
266-7364

Moen, Lisa

From: Sumi, John
Sent: Tuesday, March 20, 2001 3:29 PM
To: Moen, Lisa
Subject: FW: Bar/gate in front of bus

-----Original Message-----

From: Maassen, Joe
Sent: Tuesday, March 20, 2001 3:14 PM
To: Sumi, John
Subject: FW: Bar/gate in front of bus

Have you gotten all the info you need /want on the safety gates on front of buses?

-----Original Message-----

From: Pruitt-Thunder, JoAnne
Sent: Friday, March 09, 2001 2:58 PM
To: 'sbf@bobit.com'
Cc: Maassen, Joe; Fernan, Joan; 'curtin,'
Subject: Bar/gate in front of bus

looking for info. on how this bar/gate functions:

1. how long it takes to deploy and retract?
2. if bus companies and manufacturers feel this is good way to prevent the handful of deaths associated with children being run over by own bus?
3. Are there any states that have mandated its use or any in evaluation projects with it?
4. Are there any school districts that have equipped whole fleet with this device?

Of course, I needed this info about an hour ago. Thanks for quick response. I see nothing in NHTSA WEB pages to help answer any of my question. In fact I see no place to contact a real person via the web page, only their webmaster. Maybe they need to fix this?