

2003 DRAFTING REQUEST

Bill

Received: **03/17/2003**

Received By: **tfast**

Wanted: **Soon**

Identical to LRB:

For: **Sondy Pope-Roberts (608) 266-3520**

By/Representing: **Lori Youngman**

This file may be shown to any legislator: **NO**

Drafter: **tfast**

May Contact:

Addl. Drafters: **agary**

Subject: **Transportation - traffic laws**

Extra Copies: **ARG, PJH - 1**

Submit via email: **YES**

Requester's email: **Rep.PopeRoberts@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School bus stops on private roads and driveways

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tfast 03/18/2003	csicilia 03/19/2003					
/1			chaskett 03/19/2003		lemery 03/19/2003		
/2	tfast	csicilia	chaskett		amentkow	amentkow	

Per Lori

Jacketed



<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/25/2003	03/26/2003	03/26/2003	_____	03/26/2003	03/26/2003	
	agary			_____			
	03/26/2003			_____			

FE Sent For:

*None
Needed*

<END>

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/?	tfast 03/18/2003	csicilia 03/19/2003		_____			
/1			chaskett 03/19/2003	_____	lemery 03/19/2003		
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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/25/2003	03/26/2003	03/26/2003	_____	03/26/2003		
	agary			_____			
	03/26/2003			_____			

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

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Wanted: Soon

Identical to LRB:

For: SONDY POPE-ROBERTS (608) 266-3520

By/Representing: Lori Youngman

This file may be shown to any legislator: NO

Drafter: tfast

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: ARG, PJH - 1

Submit via email: YES

Requester's email: Rep.PopeRoberts@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School bus stops on private roads and driveways

Instructions:

See Attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tfast 03/18/2003	csicilia 03/19/2003		eg/cph 3/26			
/1	tfast		chaskett 03/19/2003		lemery 03/19/2003		

Handwritten notes: 1/2 cjs 3/26 /2 cph 03 3/26

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 03/17/2003

Received By: tfast

Wanted: Soon

Identical to LRB:

For: Mark Miller (608) 266-5342

By/Representing: Self

This file may be shown to any legislator: NO

Drafter: tfast

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: ARG, PJH - 1

Submit via email: YES

Requester's email: Rep.Miller@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School bus stops on private roads and driveways

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u> *	<u>Required</u>
/?	tfast 03/18/2003	csicilia 03/19/2003		_____			
/1			chaskett 03/19/2003	_____	lemery 03/19/2003		

* Please jacket
12

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 03/17/2003

Received By: tfast

Wanted: Soon

Identical to LRB:

For: Mark Miller (608) 266-5342

By/Representing: Self

This file may be shown to any legislator: NO

Drafter: tfast

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: ARG, PJH - 1

Submit via email: YES

Requester's email: Rep.Miller@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

School bus stops on private roads and driveways

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tfast	1 cjs 3/19 03	1 cph 3/19	pg/cph 3/19			

FE Sent For:

<END>

Fast, Timothy

From: Fast, Timothy
Sent: Friday, March 14, 2003 4:36 PM
To: Miller, Mark
Subject: RE: Private Roads

Rep. Miller - Glad to help. I remember talking to Paul Nilsen about the bill a couple of sessions ago so I'm pretty familiar with it. You should have a draft for this session early next week. Have a good weekend. --Tim

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

From: Miller, Mark
Sent: Friday, March 14, 2003 4:23 PM
To: Fast, Timothy
Subject: Private Roads

Mr Fast,
Please draft 1999 AB885 (LRB 4554/1) as a bill for this session.
Thank you.

Mark Miller

*48th Assembly District
P.O. Box 8953
Madison, WI 53708
Phone 608.266.5342, FAX 608.282.3648
rep.miller@legis.state.wi.us*

2003

Date (time) needed

Wed. 3/19

LRB-23271-1

D-NOTE/

BILL

TNF : gs : _____

Use the appropriate components and routines developed for bills.

prof. ✓
SA ✓
K-10/10 ✓

AN ACT ... [generate catalog] *to repeal* ... ; *to renumber* ... ; *to consolidate and renumber* ... ; *to renumber and amend* ... ; *to consolidate, renumber and amend* ... ; *to amend* ... ; *to repeal and recreate* ... ; and *to create* ... of the statutes; relating to:

.....
.....
.....

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

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

SECTION #.

~~1999 ASSEMBLY BILL 885~~

~~March 16, 2000 - Introduced by Representatives MILLER and HANDRICK, cosponsored by Senator RISSEK. Referred to Committee on Highway Safety~~

1 ~~AN ACT to amend 346.48 (1), 346.48 (2) (a), 346.48 (2) (b), 346.48 (2) (c) and~~
2 ~~346.48 (3) of the statutes, relating to,~~ applicability to private roads and
3 driveways of certain rules of the road governing passing school buses.

Analysis by the Legislative Reference Bureau

Current law requires motorists who approach a school bus that is stopped on a public road and is displaying flashing red lights to stop their approaching vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the bus driver extinguishes the flashing red warning lights. A motorist who violates this requirement may be required to forfeit not less than \$30 nor more than \$300. The owner or lessee of a vehicle that violates these requirements may be held liable for the violation under this state's "owner liability" law, under which a school bus driver who observes a violation may report the violation to police.

This bill extends these stopping requirements to private roads and driveways. A "private road or driveway" is every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner, and every road or driveway upon the grounds of public institutions (other than public schools) and institutions under the jurisdiction of the county board of supervisors. Under the bill, any motorist who approaches a school bus that is stopped on a public road or on a private road or driveway must stop the vehicle not less than 20 feet from the bus and must remain stopped until the bus resumes motion

vehicle

or

ASSEMBLY BILL 885

or the bus driver extinguishes the flashing red warning lights. The ^{vehicle} "owner liability" law applies to violations committed on private roads or driveways.

such

Insert A

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

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

2 346.48 (1) The operator of a vehicle which approaches from the front or rear

3 any school bus which has stopped on a street ~~or~~ highway or private road or driveway

4 when the bus is equipped according to s. 347.25 (2) and when it is displaying flashing

5 red warning lights, shall stop the vehicle not less than 20 feet from the bus and shall

6 remain stopped until the bus resumes motion or the operator extinguishes the

7 flashing red warning lights. The operator of any school bus which approaches from

8 the front or rear any school bus which has stopped and is displaying flashing red

9 warning lights shall display its flashing red lights while stopped. This subsection

10 does not apply to operators of vehicles proceeding in the opposite direction on a

11 divided highway or divided private road or driveway.

12 SECTION 2. 346.48 (2) (a) of the statutes is amended to read:

13 346.48 (2) (a) Except as provided in par. (b) the operator of a school bus

14 equipped with flashing red warning lights as specified in s. 347.25 (2) shall actuate

15 such lights at least 100 feet before stopping to load or unload pupils or other

16 authorized passengers, and shall not extinguish such lights until loading or

17 unloading is completed and persons who must cross the highway or private road or

18 driveway are safely across. Where the curb and sidewalk are laid on one side of the

19 road only, the operator shall use the flashing red warning lights when loading or

20 unloading passengers from either side.

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

ASSEMBLY BILL 885

1 346.48 (2) (bm) Except as provided in par. (b) 2. or unless prohibited by
2 municipal ordinance enacted under s. 349.21 (2), a school bus operator shall use the
3 flashing red warning lights as provided in par. (a) in a zone designated by “school”
4 warning signs as provided in s. 118.08 (1) in which a street ~~or~~ highway or private
5 road or driveway borders the grounds of a school when pupils or other authorized
6 passengers are loaded or unloaded directly from or onto the school grounds or that
7 portion of the right-of-way between the roadway and the school grounds.

8 **SECTION 4.** 346.48 (2) (c) of the statutes is amended to read:

9 346.48 (2) (c) When a school bus is being used on a highway or private road or
10 driveway for purposes other than those specified in s. 340.01 (56) (a) and (am), the
11 flashing red warning lights shall not be used, and all markings on the front and rear
12 of the bus indicating it is a school bus shall be removed or completely concealed;
13 except that any time a motor vehicle is equipped as provided under ss. 347.25 (2) and
14 347.44 and is transporting children for any purpose, the school bus markings may
15 remain unconcealed and the flashing red signals may be used as provided in this
16 section and when so used, sub. (1) applies to operators of other motor vehicles.

17 **SECTION 5.** 346.48 (3) of the statutes is amended to read:

18 346.48 (3) If the operator of a motor vehicle overtakes a school bus which is
19 stopped and is loading or unloading pupils or other authorized passengers at an
20 intersection on the right side of a roadway or private road or driveway in a business
21 or residence district in which the display of the flashing red warning lights on the
22 school bus is not permitted, the operator shall pass at a safe distance to the left of the
23 school bus and shall not turn to the right in front of the school bus at that intersection.

24 **SECTION 6. Initial applicability.**

Insert 3-23

Insert A

Section #. 118.08 (1) of the statutes is amended to read:

118.08 (1) On any street ~~or~~ highway which borders the grounds of any public or private school in which school is held for a term of not less than 6 months, the authority in charge of the maintenance of the street ~~or~~ highway shall erect black and yellow "school" warning signs. The authority may also designate school crossings across any street ~~or~~ highway, whether or not the street ~~or~~ highway borders on the grounds of a school.

History: 1973 c. 90; 1975 c. 48; 1977 c. 29 s. 1654 (8) (g).

or private road
or ~~highway~~
driveway

Insert 3-23

Section #. 349.21 of the statutes is amended to read:

349.21 Authority to regulate school bus warning lights. (1) The governing body of any town, city, village or county may by ordinance provide for the use of flashing red warning lights by school bus operators in a residence or business district when pupils or other authorized passengers are to be loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being unloaded.

(2) The governing body of any town, city, village or county may, by ordinance, prohibit the use of flashing red warning lights by school bus operators when pupils or other authorized passengers are loaded or unloaded directly from or onto the school grounds or that portion of the right-of-way between the roadway and the school grounds in a zone designated by "school" warning signs as provided in s. 118.08 (1) in which a street or highway borders the grounds of a school.

History: 1973 c. 93; 1987 a. 125.

, or private road or
driveway

LRB-2327/1dn

TNF: cjs

DRAFTER'S NOTE

ATTN: Rep. Mark Miller

This bill is identical to 1999 AB-885, except
that it also amends ss. 118.08(1) and 349.21,
stats., to specifically cover "school" warning signs
and local authority to regulate school bus warning
lights.

TNF

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2327/1dn
TNF:cjs:cph

March 19, 2003

ATTN: Rep. Mark Miller

This bill is identical to 1999 AB-885, except that it also amends ss. 118.08 (1) and 349.21, stats., to specifically cover "school" warning signs and local authority to regulate school bus warning lights.

Timothy N. Fast
Senior Legislative Attorney
Phone: (608) 266-9739
E-mail: tim.fast@legis.state.wi.us

Fast, Timothy

From: Rep.Miller
Sent: Thursday, March 20, 2003 1:04 PM
To: Fast, Timothy
Cc: Rep.Pope-Roberts
Subject: School Bus Bill, LRB 2327/1

Mr. Fast,
Rep. Pope Roberts will be the author for LRB 2327/1 which you prepared for me. I have turned the bill over to her. Please provide her LRB support for this bill as the author.
Thank you.
Mark

Mark Miller

*48th Assembly District
P.O. Box 8953
Madison, WI 53708
Phone 608.266.5342, FAX 608.282.3648
rep.miller@legis.state.wi.us*

LRB-232717
TNE: cis: [unclear]
ARC Slays
2 (Rodriguez makes has been run)

WANTED
WED. 3/26

2003 BILL

D-Note

Reger cat

1 AN ACT to amend 118.08 (1), 346.48 (1), 346.48 (2) (a), 346.48 (2) (bm), 346.48
2 (2) (c), 346.48 (3) and 349.21 of the statutes; relating to: applicability to private
3 roads and driveways of certain rules of the road governing passing school buses.

Analysis by the Legislative Reference Bureau

Current law requires motorists who approach a school bus that is stopped on a public road and is displaying flashing red lights to stop their approaching vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the bus driver extinguishes the flashing red warning lights. A motorist who violates this requirement may be required to forfeit not less than \$30 nor more than \$300. The owner or lessee of a vehicle that violates these requirements may be held liable for the violation under this state's "vehicle owner liability" law, under which a school bus driver who observes a violation may report the violation to police.

This bill extends these stopping requirements to private roads and driveways. A "private road or driveway" is every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner, and every road or driveway upon the grounds of public institutions (other than public schools) or institutions under the jurisdiction of the county board of supervisors. Under the bill, any motorist who approaches a school bus that is stopped on a public road or on a private road or driveway must stop the vehicle not less than 20 feet from the bus and must remain stopped until the bus resumes motion

BILL

The bill also prohibits a school bus driver from displaying flashing red lights on a private road or driveway under circumstances where such a display would be prohibited

or the bus driver extinguishes the flashing red warning lights. The "vehicle owner liability" law applies to such violations committed on private roads or driveways on a public road.

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

SECTION 1. 118.08 (1) of the statutes is amended to read:

~~118.08 (1) On any street or highway, or private road or driveway which borders the grounds of any public or private school in which school is held for a term of not less than 6 months, the authority in charge of the maintenance of the street or highway, or private road or driveway shall erect black and yellow "school" warning signs. The authority may also designate school crossings across any street or highway, or private road or driveway, whether or not the street or highway, or private road or driveway borders on the grounds of a school.~~

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

346.48 (1) The operator of a vehicle which approaches from the front or rear any school bus which has stopped on a street or highway, or private road or driveway when the bus is equipped according to s. 347.25 (2) and when it is displaying flashing red warning lights, shall stop the vehicle not less than 20 feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of any school bus which approaches from the front or rear any school bus which has stopped and is displaying flashing red warning lights shall display its flashing red lights while stopped. This subsection does not apply to operators of vehicles proceeding in the opposite direction on a divided highway or divided private road or driveway.

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

BILL

1 346.48 (2) (a) Except as provided in par. (b) ³the operator of a school bus
 2 equipped with flashing red warning lights as specified in s. 347.25 (2) shall actuate
 3 such lights at least 100 feet before stopping to load or unload pupils or other
 4 authorized passengers, and shall not extinguish such lights until loading or
 5 unloading is completed and persons who must cross the highway or private road or
 6 driveway are safely across. Where the curb and sidewalk are laid on one side of the
 7 road ^{or driveway} only, the operator shall use the flashing red warning lights when loading or
 8 unloading passengers from either side.

Insert
3-8

9 **SECTION 4.** 346.48 (2) (bm) of the statutes is amended to read:
 10 346.48 (2) (bm) Except as provided in par. (b) 2. or unless prohibited by
 11 municipal ordinance enacted under s. 349.21 (2), a school bus operator shall use the
 12 flashing red warning lights as provided in par. (a) in a zone designated by "school"
 13 warning signs as provided in s. 118.08 (1) ~~in which a street or, highway, or private~~
 14 ~~road or driveway borders the grounds of a school when pupils or other authorized~~
 15 ~~passengers are loaded or unloaded directly from or onto the school grounds or that~~
 16 ~~portion of the right-of-way between the roadway and the school grounds.~~

17 **SECTION 5.** 346.48 (2) (c) of the statutes is amended to read:
 18 346.48 (2) (c) When a school bus is being used on a highway or private road or
 19 driveway for purposes other than those specified in s. 340.01 (56) (a) and (am), the
 20 flashing red warning lights shall not be used, and all markings on the front and rear
 21 of the bus indicating it is a school bus shall be removed or completely concealed;
 22 except that any time a motor vehicle is equipped as provided under ss. 347.25 (2) and
 23 347.44 and is transporting children for any purpose, the school bus markings may
 24 remain unconcealed and the flashing red signals may be used as provided in this
 25 section and when so used, sub. (1) applies to operators of other motor vehicles.

BILL

1 SECTION 6. 346.48 (3) of the statutes is amended to read:

2 346.48 (3) If the operator of a motor vehicle overtakes a school bus which is
3 stopped and is loading or unloading pupils or other authorized passengers at an
4 intersection on the right side of a roadway or private road or driveway in a business
5 or residence district in which the display of the flashing red warning lights on the
6 school bus is not permitted, the operator shall pass at a safe distance to the left of the
7 school bus and shall not turn to the right in front of the school bus at that intersection.

8 SECTION 7. 349.21 of the statutes is amended to read: (1)

9 ~~349.21 Authority to regulate school bus warning lights.~~ (1) The
plain governing body of any town, city, village, or county may by ordinance provide for the
10 use of flashing red warning lights by school bus operators in a residence or business
11 district when pupils or other authorized passengers are to be loaded or unloaded at
12 a location at which there are no traffic signals and such persons must cross the street
13 or highway, or private road or driveway before being loaded or after being unloaded.
14

15 (2) The governing body of any town, city, village, or county may, by ordinance,
16 prohibit the use of flashing red warning lights by school bus operators when pupils
17 or other authorized passengers are loaded or unloaded directly from or onto the
18 school grounds or that portion of the right-of-way between the roadway and the
19 school grounds in a zone designated by "school" warning signs as provided in s.
20 118.08 (1) in which a street or highway, or private road or driveway borders the
21 grounds of a school.

22 SECTION 8. Initial applicability.

23 (1) This act first applies to motor vehicles operated on the first day of the 5th
24 month beginning after publication.

25 (END)

D-Note

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2327/2ins
ARG:.....

SECTION 1. 346.48[✓] (2) (b) 1. of the statutes is amended to read:

346.48 (2) (b) 1. Special school bus loading areas where the bus is entirely off the traveled portion of the highway or private road or driveway.

SECTION 2. 346.48[✓] (2) (b) 2. of the statutes is amended to read:

346.48 (2) (b) 2. Residence or business districts when pupils or other authorized passengers are to be loaded or unloaded where a sidewalk and curb are laid on both sides of the ~~road~~ highway, or private road or driveway, unless required otherwise by municipal ordinance enacted under s. 349.21 (1).

Insert
3-8

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2327/2dn
ARG:.....

ATTN: Lori Youngman

As discussed, the attached redraft removes the treatment of ss. 118.08 (1), 346.48 (2) (bm), and 349.21 (2), and adds the treatment of s. 346.48 (2) (b) 1. and 2.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2327/2dn
ARG:cjs:cph

March 26, 2003

ATTN: Lori Youngman

As discussed, the attached redraft removes the treatment of ss. 118.08 (1), 346.48 (2) (bm), and 349.21 (2), and adds the treatment of s. 346.48 (2) (b) 1. and 2.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us