March 11, 2008 – Introduced by Representative MOLEPSKE. Referred to Committee on Transportation.

AN ACT to amend 346.95 (1); and to create 346.94 (20) of the statutes; relating to: school bus seating positions and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a person from operating a school bus if any child is seated in a seating position in the rearmost two rows of the school bus, unless all seating positions except those in the rearmost two rows are occupied. A person who violates this prohibition may be required to forfeit not less than $20 nor more than $40 for the first offense and not less than $50 nor more than $100 for the second or subsequent conviction within one year.

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

SECTION 1. 346.94 (20) of the statutes is created to read:

346.94 (20) SCHOOL BUS SEATING POSITIONS. (a) Except as provided in par. (b), no person may operate a school bus if any child is seated in a seating position in the rearmost 2 rows of the school bus.

(b) If all seating positions in all rows except the rearmost 2 rows of the school bus are occupied, any child may be seated in a seating position in the 2nd to the
rearmost row until all seating positions in that row are occupied, and then any child
may be seated in a seating position in the rearmost row of the school bus.

**SECTION 2.** 346.95 (1) of the statutes is amended to read:

346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2), 346.90 to 346.92,
or 346.94 (1), (9), (10), (11), (12) or (15), or (20) may be required to forfeit not less than
$20 nor more than $40 for the first offense and not less than $50 nor more than $100
for the 2nd or subsequent conviction within a year.

**SECTION 3. Initial applicability.**

(1) This act first applies to vehicles operated on the effective date of this
subsection.

**SECTION 4. Effective date.**

(1) This act takes effect on the first day of the 3rd month beginning after
publication.