

2009 DRAFTING REQUEST

Bill

Received: **01/23/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Louis Molepske Jr (608) 267-9649**

By/Representing: **Lloyd Clark**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles
Transportation - traffic laws**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Molepske@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

School bus seating positions

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>
/?	agary 01/26/2009	jdyer 01/27/2009		_____			
/1			phenry 01/27/2009	_____	cduerst 01/27/2009		
/2	agary 02/24/2009	jdyer 02/25/2009	jfrantze 02/25/2009	_____	cduerst 02/25/2009		
/3	agary	jdyer	rschluet	_____	sbasford	cduerst	

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	02/27/2009	03/05/2009	03/05/2009	_____	03/05/2009	03/12/2009	

FE Sent For:

↳ Not Needed

<END>

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/1		13/2 jld	phenry 01/27/2009	_____	cdurst 01/27/2009		
/2	agary 02/24/2009	jdyer 02/25/2009	jfrantze 02/25/2009	_____	cdurst 02/25/2009		

[Handwritten signatures and initials are present below the drafting history table, including a large signature that appears to be 'agary' and some initials 'SS' and 'if'.]

FE Sent For:

<END>

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/1		<i>1/25 jld</i> phenry 01/27/2009		_____	cduerst 01/27/2009		

FE Sent For:

2/25
2/25
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/?

agary

1 1/27 JLD

1/21
ph

1/27
ph

FE Sent For:

<END>

Gary, Aaron

From: Basford, Sarah
Sent: Friday, January 23, 2009 12:22 PM
To: Gary, Aaron
Subject: FW: Bill Draft Request
Attachments: AB-937.pdf

Sarah Basford

Program Assistant
Legislative Reference Bureau
1 East Main, Suite 200
(608) 266-3561
sarah.basford@legis.wisconsin.gov

From: Clark, Lloyd
Sent: Friday, January 23, 2009 12:20 PM
To: LRB.Legal
Subject: Bill Draft Request

Date: January 23, 2009

Legislator: Rep. Molepske
Staff Contact: Lloyd Clark 267-9649

Bill Description:

Redraft of 2007 AB-937 (attached)

relating to: school bus seating positions and providing a penalty.

This bill would:

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.

Some provisions may already exist in current Wisconsin statute.

PRIORITY: This bill should be given priority over bills previously submitted by Rep. Molepske for

01/23/2009

drafting.

Keep Confidential.

LLOYD CLARK

OFFICE OF REPRESENTATIVE LOUIS J. MOLEPSKE, JR.
CHAIR - COMMITTEE ON JOBS, THE ECONOMY, AND SMALL BUSINESS
608-267-9649
888-534-0071

5000

-1748/1
stays

in 1/26

RMNR

9
2007 ASSEMBLY BILL 937

LPS -
PWF
please

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

Gen

1 AN ACT *to amend* 346.95 (1); and *to create* 346.94 (20) of the statutes; relating
2 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:

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

4 346.94 (20) SCHOOL BUS SEATING POSITIONS. ✓ (a) Except as provided in ✓ par. (b),
5 no person may operate a ✓ school bus if any child is seated in a seating position in the
6 rearmost 2 rows of the school bus. ✓

7 (b) If all seating positions in all rows except the rearmost 2 ✓ rows of the school
8 bus are occupied, any child may be seated in a seating position in the ✓ 2nd to the

ASSEMBLY BILL 937

1 rearmost row until all seating positions in that row are occupied, and then any child
2 may be seated in a seating position in the rearmost row of the school bus.

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

4 346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2), 346.90 to 346.92,
5 or 346.94 (1), (9), (10), (11), (12) ~~or~~, (15), or (20)[✓] may be required to forfeit not less than
6 \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100
7 for the 2nd or subsequent conviction within a year.

8 **SECTION 3. Initial applicability.**

9 (1) This act first applies to vehicles operated on the effective date of this
10 subsection.[✓]

11 **SECTION 4. Effective date.**

12 (1) This act takes effect on the first day of the [✓]3rd month beginning after
13 publication.[✓]

14 (END)

Gary, Aaron

From: Clark, Lloyd
Sent: Thursday, February 12, 2009 12:08 PM
To: Gary, Aaron
Subject: Submitted: LRB 09-1748/1 Topic: School bus seating positions?body=

Hi Aaron,

We would ask to have the following changes made to LRB 09-1748

- 1) Instruct DPI to appoint a person responsible for transpiration issues;
- 2) Allow school buses to pull off of roadway, onto the right-hand shoulder, weather permitting, to load/offload children;
- 3) Remove 346.48(2)(b)2 and adjust statutes accordingly.

If you have any questions, please give me a call.

LLOYD CLARK

OFFICE OF REPRESENTATIVE LOUIS J. MOLEPSKE, JR.
CHAIR - COMMITTEE ON JOBS, THE ECONOMY, AND SMALL BUSINESS
608-267-9649
888-534-0071

Gary, Aaron

From: Grant, Peter
Sent: Tuesday, February 24, 2009 2:19 PM
To: Gary, Aaron
Cc: Kuczenski, Tracy
Subject: RE: Submitted: LRB 09-1748/1 Topic: School bus seating positions?body=

I talked to Lloyd. A constituent was under the impression that DPI had eliminated the position. I assured him that they still have someone who is their transportation person, Merry Larsen, so he withdrew that part of the instructions.

From: Gary, Aaron
Sent: Tuesday, February 24, 2009 2:09 PM
To: Grant, Peter; Kuczenski, Tracy
Subject: FW: Submitted: LRB 09-1748/1 Topic: School bus seating positions?body=

Can either of you help me with item 1) below?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Clark, Lloyd
Sent: Thursday, February 12, 2009 12:08 PM
To: Gary, Aaron
Subject: Submitted: LRB 09-1748/1 Topic: School bus seating positions?body=

Hi Aaron,

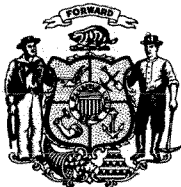
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- 2) Allow school buses to pull off of roadway, onto the right-hand shoulder, weather permitting, to load/offload children;
- 3) Remove 346.48(2)(b)2 and adjust statutes accordingly.

If you have any questions, please give me a call.

LLOYD CLARK

OFFICE OF REPRESENTATIVE LOUIS J. MOLEPSKE, JR.
CHAIR - COMMITTEE ON JOBS, THE ECONOMY, AND SMALL BUSINESS
608-267-9649
888-534-0071



Soon

in
2/24

RMR

2009 BILL

J-Note

and passenger loading and unloading

Regen

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

Insert
ANAC

also

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.

Insert
1-3

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

3 SECTION 1. 346.94 (20) of the statutes is created to read:
4 346.94 (20) SCHOOL BUS SEATING POSITIONS. (a) Except as provided in par. (b),
5 no person may operate a school bus if any child is seated in a seating position in the
6 rearmost 2 rows of the school bus.
7 (b) If all seating positions in all rows except the rearmost 2 rows of the school
8 bus are occupied, any child may be seated in a seating position in the 2nd to the

BILL

1 rearmost row until all seating positions in that row are occupied, and then any child
2 may be seated in a seating position in the rearmost row of the school bus.

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

4 346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2), 346.90 to 346.92,
5 or 346.94 (1), (9), (10), (11), (12) ~~or~~, (15), or (20) may be required to forfeit not less than
6 \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100
7 for the 2nd or subsequent conviction within a year.

Handwritten note: "Ment 2-7" with a checkmark and an arrow pointing to line 8.

8 **SECTION 3. Initial applicability.**

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

11 **SECTION 4. Effective date.**

12 (1) This act takes effect on the first day of the [✓] 3rd month beginning after
13 publication. ✓

14 (END)

Handwritten note: "D-Note" with a checkmark.

1
2

INSERT ANAL:

Current law generally requires the driver of a vehicle approaching a school bus that is stopped on a highway and that is displaying flashing red lights to stop the vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the bus driver turns off the flashing red lights. Current law also requires, with certain exceptions, a school bus driver to activate flashing red lights at least 100 feet before stopping to load or unload pupils or other authorized passengers (passengers); these lights must remain activated until loading or unloading is completed and until any person who must cross the highway is safely across. Under one exception, the bus driver may not activate the flashing red lights when loading or unloading in a special loading area where the bus is entirely off the traveled portion of the highway. Under another exception, the bus driver may not activate the flashing red lights when loading or unloading in a residence or business district where a sidewalk and curb are laid on both sides of the road, unless there is no traffic signal where the loading or unloading occurs, the person being loaded or unloaded must cross the highway, and a local ordinance authorizes the use of warning lights under these circumstances. However, if a curb and sidewalk are laid on one side of the road only, the bus driver must activate the flashing red lights.

This bill modifies the requirements and restrictions relating to school bus drivers' use of flashing red lights. The bill allows a school bus driver, without activating flashing red lights, to stop to load or unload passengers on a highway's right-hand shoulder, entirely off the traveled portion of the highway, if weather and shoulder conditions allow the stop to be made with reasonable safety. The bill removes the general prohibition against the use of flashing red lights in a residence or business district where a sidewalk and curb are laid on both sides of the road. The bill also prohibits, with certain exceptions, the use of flashing red lights in any school bus loading area entirely off the traveled portion of the highway, not just in "special" loading areas. With respect to flashing red light activation requirements and restrictions, the bill eliminates distinctions based upon whether the school bus stop is in a business or residence district or whether there is a curb or sidewalk. Under the bill, whenever a bus driver stops to load or unload passengers and does not activate the warning lights, the bus driver must activate the bus's hazard lights. Other motorists need not stop for a school bus displaying hazard lights.

3
4
5

INSERT 1-3:

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



1 346.48 (2) (a) Except as provided in par. (b),[✓] the 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 are safely across.
 6 ~~Where the curb and sidewalk are laid on one side of the road only, the operator shall~~[✓]
 7 ~~use the flashing red warning lights when loading or unloading passengers from~~
 8 ~~either side.~~

History: 1973 c. 93; 1975 c. 18, 120, 429; 1985 a. 287, 301; 1987 a. 125.

9

10 **SECTION 2.** 346.48 (2) (b) (intro.)[✓] and 1.[✓] of the statutes are consolidated,
 11 renumbered 346.48 (2) (b)[✓] and amended to read:

12 346.48 (2)[✓] (b) (intro.)[✓] School bus operators shall not use the flashing red
 13 warning lights in: ~~1. Special school bus loading and unloading~~[✓] areas where the bus
 14 is entirely off the traveled portion of the highway, unless required to do so by
 15 municipal ordinance enacted under s. 349.21 (1).[✓]

History: 1973 c. 93; 1975 c. 18, 120, 429; 1985 a. 287, 301; 1987 a. 125.

16

SECTION 3. 346.48 (2) (b) 2. of the statutes is repealed.

17

SECTION 4. 346.48 (2) (bm)[✓] of the statutes is amended to read:

18 346.48 (2) (bm) ~~Except as provided in par. (b) 2.~~[✓] or unless Unless prohibited by
 19 municipal ordinance enacted under s. 349.21 (2), and notwithstanding par. (b).[✓] a
 20 school bus operator shall use the flashing red warning lights as provided in par. (a)
 21 in a zone designated by "school" warning signs as provided in s. 118.08 (1) in which
 22 a street or highway borders the grounds of a school when pupils or other authorized



1 passengers are loaded or unloaded directly from or onto the school grounds or that
2 portion of the right-of-way between the roadway and the school grounds.

3 History: 1973 c. 93; 1975 c. 18, 120, 429; 1985 a. 287, 301; 1987 a. 125.

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

5 346.48 (3) If the operator of a motor vehicle overtakes a school bus which that
6 is stopped and is loading or unloading to load or unload pupils or other authorized
7 passengers at an intersection on the right side of a roadway in a business or residence
8 district in which the display of the flashing red warning lights on the school bus is
9 not permitted and that is displaying its hazard lights as provided in sub. (5), the
10 operator shall pass at a safe distance to the left of the school bus and, if the school
11 bus is stopped at an intersection, shall not turn to the right in front of the school bus
12 at that intersection.

13 History: 1973 c. 93; 1975 c. 18, 120, 429; 1985 a. 287, 301; 1987 a. 125.

14 SECTION 6. 346.48 (4) and (5) of the statutes are created to read:

15 346.48 (4) Notwithstanding s. 346.05, a school bus operator may stop to load
16 or unload pupils or other authorized passengers at a location where the school bus
17 is on the right-hand shoulder, and entirely off the traveled portion, of the highway
if weather and shoulder conditions allow the stop to be made with reasonable safety.

18 346.48 (5) If a school bus operator stops to load or unload a pupil or other
19 authorized passenger and the use of the flashing red warning lights is not required
20 under this section or a municipal ordinance enacted under s. 349.21 (1), the school
21 bus operator shall actuate the vehicular hazard lights specified in s. 347.26 (11) (a)
22 before stopping and shall not extinguish such lights until loading or unloading is
23 completed.

(end ins 1-3)

24 INSERT 2-7:



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

349.21 (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.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1748/2dn

ARG:.....

date

↑
JLD

ATTN: Lloyd Clark ✓

The existing statutes relating to school bus loading and unloading ✓ are confusing. See ss. 346.48 ✓ and 349.21 ✓, stats. I am not confident that the attached draft is fully consistent with your intent. ✓ Please review the attached draft carefully and let me know if you would like any changes. ✓

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

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

LRB-1748/2dn
ARG:jld:jf

February 25, 2009

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Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Mc w/ Lloyd - Rep. Molepshe

2/26

LRB - 1748

- school bus must use red lights anytime the bus is stopped to load or unload ~~loads~~ ^{passengers}, even if it is off the road



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1748/3
ARG:jld:jf

in
2/27

soon

mmr

S-note

2009 BILL

4

Reger

1 AN ACT *to repeal* 346.48 (2) (b) 2.; *to consolidate, renumber and amend*
2 346.48 (2) (b) (intro.) and 1.; *to amend* 346.48 (2) (a), 346.48 (2) (bm), 346.48
3 (3), 346.95 (1) and 349.21 (1); and *to create* 346.48 (4) and (5) and 346.94 (20)
4 of the statutes; **relating to:** school bus seating positions and passenger loading
5 and unloading and providing a penalty. ✓

Analysis by the Legislative Reference Bureau

Current law generally requires the driver of a vehicle approaching a school bus that is stopped on a highway and that is displaying flashing red lights to stop the vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the school bus driver turns off the flashing red lights. ✓ Current law also requires, with certain exceptions, a school bus driver to activate flashing red lights at least 100 feet before stopping to load or unload pupils or other authorized passengers (passengers); these lights must remain activated until loading or unloading is completed and until any person who must cross the highway is safely across. Under one exception, the school bus driver may not activate the flashing red lights when loading or unloading in a special loading area where the bus is entirely off the traveled portion of the highway. Under another exception, the school bus driver may not activate the flashing red lights ✓ when loading or unloading in a residence or business district where a sidewalk and curb are laid on both sides of the road, unless there is no traffic signal where the loading or unloading occurs, the person being loaded or unloaded must cross the highway, and a local ordinance

BILL

authorizes the use of warning lights under these circumstances. However, if a curb and sidewalk are laid on one side of the road only, the school bus driver must activate the flashing red lights.

Insert ANAL

~~This bill modifies the requirements and restrictions relating to school bus drivers' use of flashing red lights. The bill allows a school bus driver, without activating flashing red lights, to stop to load or unload passengers on a highway's right-hand shoulder, entirely off the traveled portion of the highway, if weather and shoulder conditions allow the stop to be made with reasonable safety. The bill removes the general prohibition against the use of flashing red lights in a residence or business district where a sidewalk and curb are laid on both sides of the road. The bill also prohibits, with certain exceptions, the use of flashing red lights in any school bus loading area entirely off the traveled portion of the highway, not just in "special" loading areas. With respect to flashing red light activation requirements and restrictions, the bill eliminates distinctions based upon whether the school bus stop is in a business or residence district or whether there is a curb or sidewalk. Under the bill, whenever a school bus driver stops to load or unload passengers and does not activate the warning lights, the school bus driver must activate the bus's hazard lights. Other motorists need not stop for a school bus displaying hazard lights.~~

This bill also 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:

Insert 2-1

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

BILL

1 **SECTION 2.** 346.48 (2) (b) (intro.) and 1. of the statutes are consolidated,
2 renumbered 346.48 (2) (b) and amended to read:

3 346.48 (2) (b) School bus operators shall not use the flashing red warning lights
4 in: ~~1. Special school bus loading and unloading areas where the bus is entirely off~~
5 ~~the traveled portion of the highway, unless required to do so by municipal ordinance~~
6 ~~enacted under s. 349.21 (1).~~

7 **SECTION 3.** 346.48 (2) (b) 2. of the statutes is repealed.

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

9 346.48 (2) (bm) Except as provided in par. (b) 2. or unless ~~Unless~~ prohibited by
10 ~~municipal ordinance enacted under s. 349.21 (2), and notwithstanding par. (b), a~~

11 ~~(A)~~ school bus operator shall use the flashing red warning lights as provided in par. (a)
12 in a zone designated by "school" warning signs as provided in s. 118.08 (1) in which
13 a street or highway borders the grounds of a school when pupils or other authorized
14 passengers are loaded or unloaded directly from or onto the school grounds or that
15 portion of the right-of-way between the roadway and the school grounds.

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

17 ~~346.48 (3) If the operator of a motor vehicle overtakes a school bus which that~~
18 ~~is stopped and is loading or unloading to load or unload pupils or other authorized~~
19 ~~passengers at an intersection on the right side of a roadway in a business or residence~~
20 ~~district in which the display of the flashing red warning lights on the school bus is~~
21 ~~not permitted and that is displaying its hazard lights as provided in sub. (5), the~~
22 ~~operator shall pass at a safe distance to the left of the school bus and, if the school~~
23 ~~bus is stopped at an intersection, shall not turn to the right in front of the school bus~~
24 ~~at that intersection.~~

25 **SECTION 6.** 346.48 (4) and (5) of the statutes ~~are~~ created to read:

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and 346.51(1) ✓

1 346.48 (4) Notwithstanding s. 346.05, a school bus operator may stop to load
2 or unload pupils or other authorized passengers at a location where the school bus
3 is on the right-hand shoulder, and entirely off the traveled portion, of the highway
4 if weather and shoulder conditions allow the stop to be made with reasonable safety.

5 ~~(5) If a school bus operator stops to load or unload a pupil or other authorized
6 passenger and the use of the flashing red warning lights is not required under this
7 section or a municipal ordinance enacted under s. 349.21 (1), the school bus operator
8 shall actuate the vehicular hazard lights specified in s. 347.26 (11) (a) before stopping
9 and shall not extinguish such lights until loading or unloading is completed.~~

SECTION 7. 346.94 (20) of the statutes is created to read:

11 346.94 (20) SCHOOL BUS SEATING POSITIONS. (a) Except as provided in par. (b),
12 no person may operate a school bus if any child is seated in a seating position in the
13 rearmost 2 rows of the school bus.

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

SECTION 8. 346.95 (1) of the statutes is amended to read:

19 346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2), 346.90 to 346.92,
20 or 346.94 (1), (9), (10), (11), (12) or, (15), or (20) may be required to forfeit not less than
21 \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100
22 for the 2nd or subsequent conviction within a year.

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23 **SECTION 9.** 349.21 (1) of the statutes is ~~amended to read:~~ *repealed.*

24 ~~349.21 (1) The governing body of any town, city, village or county may by
25 ordinance provide for the use of flashing red warning lights by school bus operators~~

BILL

1 ~~in a residence or business district~~ when pupils or other authorized passengers are
2 to be loaded or unloaded at a location at which there are no traffic signals and such
3 persons must cross the street or highway before being loaded or after being unloaded.

4 **SECTION 10. Initial applicability.**

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

7 **SECTION 11. Effective date.**

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

10 (END)

S-Note
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2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1748/3ins
ARG:.....

1 **INSERT ANAL:**

4 Under this bill, a school bus[✓] stopped to load or unload passengers[✓] must display flashing red lights[✓], regardless of whether the school bus is on or off the[✓] traveled portion of a highway[✓].

2 **INSERT 2-1:**

3 **SECTION 1.** 346.48 (1)^X of the statutes is amended to read:

4 346.48 (1) The operator of a[✓] vehicle ~~which~~^{that} approaches from the front or rear
5 any school bus which that has stopped on a street or highway when the bus is
6 equipped according to s. 347.25 (2) and when it and is displaying the[✓] flashing red
7 warning lights, specified in s. 347.25 (2)[✓] shall stop the vehicle not less than 20 feet
8 from the bus and shall remain stopped until the bus resumes motion or the operator
9 extinguishes the flashing red warning lights[✓]. The operator of any school bus which
10 that[✓] approaches from the front or rear any school bus ~~which~~^{that} has stopped and is
11 displaying flashing red warning lights shall display its flashing red lights while
12 stopped. This subsection does not apply to operators of vehicles proceeding in the
13 opposite direction on a divided highway[✓].

History: 1973 c. 93; 1975 c. 18, 120, 429; 1985 a. 287, 301; 1987 a. 125.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

date

LRB-1748/3dn

ARG:.....

↑
jld

ATTN: Lloyd Clark

As instructed, the attached draft requires school bus drivers to activate[✓] flashing red lights whenever they stop to load or unload passengers, regardless of whether the stop is on or off the roadway. When these red lights are activated, other motorists must stop until the red lights are turned off or the bus begins moving unless they are proceeding in the opposite direction on a divided highway.[✓]

Aaron R. Gary
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1748/3dn
ARG:jld:rs

March 5, 2009

ATTN: Lloyd Clark

As instructed, the attached draft requires school bus drivers to activate flashing red lights whenever they stop to load or unload passengers, regardless of whether the stop is on or off the roadway. When these red lights are activated, other motorists must stop until the red lights are turned off or the bus begins moving unless they are proceeding in the opposite direction on a divided highway.

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Duerst, Christina

From: Clark, Lloyd

Sent: Thursday, March 12, 2009 4:32 PM

To: LRB.Legal

Subject: Draft Review: LRB 09-1748/3 Topic: School bus seating positions

Please Jacket LRB 09-1748/3 for the ASSEMBLY.

3/12/2009