

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB(LRBx1748/3))

Received: 03/20/2009

Received By: agary

Wanted: Soon

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 - highways**
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 buses operating 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>
/?							
/P1	agary 03/23/2009	jdye 03/24/2009	jfrantze 03/24/2009	_____	sbasford 03/24/2009		
/1	agary 03/27/2009	jdye 03/27/2009	jfrantze 03/27/2009	_____	sbasford 03/27/2009	sbasford 03/27/2009	

FE Sent For:

<END>

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3/29

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/?	agary	PI 3/24 jld	3/24	3/24			

FE Sent For:

<END>

Gary, Aaron

From: Basford, Sarah
Sent: Thursday, March 19, 2009 2:55 PM
To: Gary, Aaron
Subject: FW: Amendment Request for LRB 09-1748/3 Topic: School bus seating positions

Sarah Basford

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

From: Clark, Lloyd
Sent: Thursday, March 19, 2009 2:54 PM
To: LRB.Legal
Subject: Amendment Request for LRB 09-1748/3 Topic: School bus seating positions

Date:

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

Amendment Description:

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 amendment 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 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. 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 on a public road.

LLOYD CLARK

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



500w

in 3/23

jld

D-Note

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL (LRB-1748/3)**

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At the locations indicated, amend the bill as follows:

- 1. Page 2, line 5: delete "(2)" and substitute "(2), including a school bus that has stopped on a private road or driveway or off the roadway of a highway."
- 2. Page 2, line 11: after "highway" insert "or divided private road or driveway".
- 3. Page 3, line 3: after "highway" insert "or private road or driveway".
- 4. Page 3, line 15: after that line insert:
"SECTION 4m. 346.48 (2) (c) of the statutes is amended to read:
346.48 (2) (c) When a school bus is being used on a highway or private road or driveway for purposes other than those specified in s. 340.01 (56) (a) and (am), the flashing red warning lights shall not be used, and all markings on the front and rear of the bus indicating it is a school bus shall be removed or completely concealed; except that any time a motor vehicle is equipped as provided under ss. 347.25 (2) and

1 347.44 and is transporting children for any purpose, the school bus markings may
2 remain unconcealed and the flashing red signals may be used as provided in this
3 section and when so used, sub. (1) applies to operators of other motor vehicles.” ✓

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

(END)

D - Note

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

date

LRBa0150/P1dn

ARG: ↑:...

jld

ATTN: Lloyd Clark

The attached draft extends school bus stopping requirements to ✓ private roads or driveways in the same manner they apply to highways. ✓

Please let me know if you would like any changes made to the attached draft ✓ or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft. ✓

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

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

LRBa0150/P1dn
ARG:jld:jf

March 24, 2009

ATTN: Lloyd Clark

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Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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

Gary, Aaron

From: Clark, Lloyd
Sent: Thursday, March 26, 2009 5:53 PM
To: Gary, Aaron
Subject: LRBa0150/P1dn

Hi Aaron,

Rep. Molepske would like to get this ready for introduction.

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

Thanks,

LLOYD CLARK

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

03/27/2009



TOMMY

LRBa0150/1

ARG:jld:jf

3/27

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,

TO 2009 ASSEMBLY BILL (LRB-1748/3)

No change

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3 has stopped on a private road or driveway or off the roadway of a highway.”

4 **2.** Page 2, line 11: after “highway” insert “or divided private road or driveway”.

5 **3.** Page 3, line 3: after “highway” insert “or private road or driveway”.

6 **4.** Page 3, line 15: after that line insert:

7 “SECTION 4m. 346.48 (2) (c) of the statutes is amended to read:

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9 driveway for purposes other than those specified in s. 340.01 (56) (a) and (am), the
10 flashing red warning lights shall not be used, and all markings on the front and rear
11 of the bus indicating it is a school bus shall be removed or completely concealed;
12 except that any time a motor vehicle is equipped as provided under ss. 347.25 (2) and

1 347.44 and is transporting children for any purpose, the school bus markings may
2 remain unconcealed and the flashing red signals may be used as provided in this
3 section and when so used, sub. (1) applies to operators of other motor vehicles.”.

4 (END)