



State of Wisconsin
2011 – 2012 LEGISLATURE



LRBa2790/1
ARG&TKK:med:ph

**ASSEMBLY AMENDMENT 1,
TO 2011 SENATE BILL 547**

March 13, 2012 – Offered by Representative KRUSICK.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “buses” insert “, the operation of, and insurance
3 requirements related to, school buses and alternative methods of pupil
4 transportation, including transportation of pupils to choice schools, and providing a
5 penalty.”.

6 **2.** Page 1, line 3: before that line insert:

7 “**SECTION 1b.** 118.60 (10) (a) 9. and 10. of the statutes are created to read:

8 118.60 **(10)** (a) 9. Failed to procure and maintain in effect the insurance
9 required under s. 121.53 (4) or 121.555 (2) (a).

10 10. Failed to procure and maintain in effect the insurance required by the
11 department by rule.

12 **SECTION 1d.** 119.23 (10) (a) 9. and 10. of the statutes are created to read:

1 119.23 (10) (a) 9. Failed to procure and maintain in effect the insurance
2 required under s. 121.53 (4) or 121.555 (2) (a).

3 10. Failed to procure and maintain in effect the insurance required by the
4 department by rule.

5 **SECTION 1f.** 121.53 (4) of the statutes is amended to read:

6 121.53 (4) Every school board, every governing body of a private school that
7 transports pupils or contracts for the transportation of pupils, and every governing
8 body of a charter school that transports pupils or contracts for the transportation of
9 pupils shall require that there be filed with it and with the department of
10 transportation a certificate of insurance showing that an insurance policy has been
11 procured and is in effect for the entire school year which covers the owner and
12 operator of the school bus and the school board governing body of the private school
13 or charter school, or shall procure an insurance policy and file such certificate with
14 the department of transportation. Unless such certificate is on file with the
15 department of transportation, no registration plates for a school bus may be issued
16 by the department of transportation. No such policy may be terminated prior to its
17 expiration or canceled for any reason, unless a notice thereof is filed with the
18 department of transportation and with the school board or governing body of the
19 private school or charter school by the insurer at least 10 days prior to the date of
20 termination or cancellation. No such policy which covers a private school
21 participating in the program under s. 118.60 or 119.23 may be terminated prior to
22 its expiration or canceled for any reason, unless a notice thereof is also filed with the
23 department of public instruction by the insurer at least 10 days prior to the date of
24 termination or cancellation. An insurer that issues an insurance policy under this
25 section that covers a private school participating in the program under s. 118.60 or

1 119.23 shall notify the department of public instruction of any change made to the
2 policy. A private school participating in the program under s. 118.60 or 119.23 shall
3 immediately notify the department of public instruction that the school has received
4 a notice of termination or cancellation from the insurer. The department of
5 transportation shall revoke the registration of a school bus on which the policy has
6 been terminated or canceled, effective on the date of termination or cancellation.

7 **SECTION 1g.** 121.53 (6) of the statutes is amended to read:

8 121.53 **(6)** Within 10 days after its occurrence, every accident involving a motor
9 vehicle while providing transportation under this subchapter shall be reported to the
10 appropriate school board or governing body of a private school or charter school.

11 **SECTION 1gm.** 121.555 (1) (b) of the statutes is amended to read:

12 121.555 **(1)** (b) A motor vehicle transporting 10 or more passengers in addition
13 to the operator and used temporarily to provide transportation for purposes specified
14 under s. 340.01 (56) (a) when the school board or the governing body of the private
15 school requests the secretary of transportation to determine that an emergency
16 exists because no regular transportation is available. The secretary of
17 transportation shall approve or deny the request in writing. Any authorization
18 granted under this paragraph shall specify the purpose and need for the emergency
19 transportation service.

20 **SECTION 1h.** 121.555 (2m) of the statutes is created to read:

21 121.555 **(2m)** Every school board and every governing body of a private school
22 that provides pupil transportation services under this section shall require that
23 there be filed with it and with the department of transportation a certificate of
24 insurance showing that the insurance policy required under sub. (2) has been
25 procured and is in effect for the entire school year which covers the owner and

1 operator of the motor vehicle and the school board or governing body of the private
2 school, or shall procure an insurance policy and file such certificate with the
3 department of transportation. No such policy may be terminated prior to its
4 expiration or canceled for any reason, unless a notice thereof is filed with the
5 department of transportation and the school board or the governing body of the
6 private school by the insurer at least 10 days prior to the date of termination or
7 cancellation. No such policy which covers a private school participating in the
8 program under s. 118.60 or 119.23 may be terminated prior to its expiration or
9 canceled for any reason, unless a notice thereof is also filed with the department of
10 public instruction by the insurer at least 10 days prior to the date of termination or
11 cancellation. An insurer that issues an insurance policy under this section that
12 covers a private school participating in the program under s. 118.60 or 119.23 shall
13 notify the department of public instruction of any change made to the policy. A
14 private school participating in the program under s. 118.60 or 119.23 shall
15 immediately notify the department of public instruction that the school has received
16 a notice of termination or cancellation from the insurer.

17 **SECTION 1j.** 340.01 (56) (a) 1. of the statutes is amended to read:

18 340.01 (56) (a) 1. Pupils to or from a public school as defined in s. 115.01 (1) or
19 a private school as defined in s. 115.001 (3r), a charter school as defined in s. 115.001
20 (1), or pupils to or from a technical college when required under s. 118.15 (1).

21 **SECTION 1L.** 341.03 (title) of the statutes is amended to read:

22 **341.03 (title) Operating vehicle after suspension, revocation, or**
23 **cancellation of registration or without required insurance.**

24 **SECTION 1n.** 341.03 (1) of the statutes is amended to read:

1 341.03 (1) PROHIBITION. No person may operate or knowingly permit the
2 operation of a motor vehicle if the registration for that vehicle is suspended, revoked,
3 or canceled under s. 285.30 (6) (d) or 342.255, ch. 344 or this chapter, ~~or~~ if the
4 registration for that vehicle is suspended, canceled, or revoked under the law of
5 another jurisdiction, or, if required under s. 121.53 or 121.555 (2) (a), valid insurance
6 is not current on the vehicle.

7 **SECTION 1p.** 343.12 (1m) of the statutes is created to read:

8 343.12 (1m) (a) An employer that employs any person as an operator of a school
9 bus is responsible for determining that each such person is qualified under this
10 section to operate a school bus and for assuring that only employees so qualified
11 operate the employer's school buses.

12 (b) If an employer employs any person holding a commercial driver license to
13 operate a school bus, the employer shall participate in the employer notification
14 program under s. 343.247.

15 **SECTION 1r.** 343.12 (4) (b) of the statutes is amended to read:

16 343.12 (4) (b) The department shall, by rule, establish standards for the
17 employment by an employer of a person under par. (a) as an operator of a school bus
18 in this state. The rules may require the person to meet the qualifications contained
19 in sub. (2), (2m), or (3) and any rules of the department applicable to residents, except
20 that the rules shall require the person to meet the qualifications contained in sub.
21 (2) (dm) and (em). The rules shall also require the employer to perform the actions
22 specified in s. 121.555 (3) (a) 1. and 3. An employer of a person under par. (a) is subject
23 to the requirement under sub. (1m).

24 **SECTION 1u.** 343.12 (9) of the statutes is renumbered 343.12 (9) (a).

25 **SECTION 1w.** 343.12 (9) (bm) of the statutes is created to read:

